

CLERK'S COPY.

TRANSCRIPT OF RECORD

**SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1940**

No. 484

**THE UNITED STATES OF AMERICA, PETITIONER
vs.
THE COOPER CORPORATION ET AL.**

**ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT
OF APPEALS FOR THE SECOND CIRCUIT**

**PETITION FOR CERTIORARI FILED OCTOBER 3, 1940
CERTIORARI GRANTED NOVEMBER 12, 1940**

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INDEX

	PAGE
Statement Under Rule 13	1
Complaint	3
Exhibit A	19
Motion to Dismiss Complaint (Similar motions made in behalf of all other defendants except F. G. Schenuit Rubber Company)	101
Opinion	102
Order and Judgment Dismissing Complaint	109
Notice of Appeal	110
Stipulation as to Record	111
Clerk's Certificate	114
Proceedings in U. S. C. C. A., Second Circuit	115
Opinion, Chase, J	115
Dissenting opinion, Clark, J	117
Judgment	118
Clerk's certificate	119
Order allowing certiorari	120

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United States Circuit Court of Appeals
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

1

Plaintiff-Appellant,

against

THE COOPER CORPORATION, THE DAYTON RUBBER MANUFACTURING COMPANY, DUNLOP TIRE AND RUBBER CORPORATION, THE FALLS RUBBER CO., THE FIRESTONE TIRE AND RUBBER Co., THE FISK RUBBER CORPORATION, THE GENERAL TIRE AND RUBBER COMPANY, THE B. F. GOODRICH COMPANY, THE GOODYEAR TIRE AND RUBBER COMPANY, INC., THE KELLY-SPRINGFIELD TIRE CO., LEE TIRE AND RUBBER CO. OF N. Y., INC., THE MOHAWK RUBBER CO. OF N. Y., INC., THE NORWALK TIRE AND RUBBER CO., PENNSYLVANIA RUBBER COMPANY, F. G. SCHENUIT RUBBER CO., THE SEIBERLING RUBBER COMPANY, UNITED STATES RUBBER PRODUCTS, INC., AND U. S. TIRE DEALERS CORPORATION,

2

Defendants-Respondents.

Statement Under Rule 18.

This suit was commenced on February 20, 1939 in the United States District Court for the Southern District of New York by the filing of a complaint.

The complaint was served upon all of the defendants named herein.

The service on F. G. Schenuit Rubber Company was vacated and set aside, pursuant to an order of the Honorable Samuel Mandelbaum, which order was entered on April 27, 1939.

3

Statement Under Rule 13.

No answers have been filed by the defendants, the time to answer having been extended by stipulation.

An order and consent was filed on April 3, 1940 substituting Myles J. Lane, Special Assistant to the Attorney General, as attorney for the plaintiff, in place of John T. Calill, United States Attorney for the Southern District of New York.

A motion was made on behalf of all of the defendants, with the exception of F. G. Schenuit Rubber Company, for an order dismissing the action on the ground that the complaint failed to state a claim against the defendants upon which relief could be granted.

An opinion was rendered on February 16, 1940 by the Honorable Edward A. Conger, United States District Judge, granting the defendants' motion dismissing the complaint.

An order and judgment thereon was entered on March 15, 1940.

The appeal was taken by the plaintiff on March 21, 1940.

Complaint.

IN THE
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
 Civil Action, File No. 2-396

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

THE COOPER CORPORATION, THE DAYTON RUBBER MANUFACTURING COMPANY, DUNLOP TIRE AND RUBBER CORPORATION, THE FALLS RUBBER CO., THE FIRESTONE TIRE AND RUBBER CO., THE FISK RUBBER CORPORATION, THE GENERAL TIRE AND RUBBER COMPANY, THE B. F. GOODRICH COMPANY, THE GOODYEAR TIRE AND RUBBER COMPANY, INC., THE KELLY-SPRINGFIELD TIRE CO., LEE TIRE AND RUBBER CO. OF N. Y., INC., THE MOHAWK RUBBER CO. OF N. Y., INC., THE NORWALK TIRE AND RUBBER CO., PENNSYLVANIA RUBBER COMPANY, F. G. SCHENUIT RUBBER CO., THE SEIBERLING RUBBER COMPANY, UNITED STATES RUBBER PRODUCTS, INC., AND U. S. TIRE DEALERS CORPORATION,

Defendants.

The United States of America, plaintiff herein, by its attorney, the United States District Attorney for the Southern District of New York, complains and alleges as follows:

1. This suit is brought by the plaintiff in its capacity as a purchaser of commodities for consumption by the executive departments of the United States.

Complaint.

2. The defendants The Cooper Corporation, The Dayton Rubber Manufacturing Company, The Falls Rubber Co., The Firestone Tire and Rubber Co., The General Tire and Rubber Company, The Goodyear Tire and Rubber Company, Inc., and The Seiberling Rubber Company are corporations organized and existing under the laws of the State of Ohio; the defendants Dunlop Tire and Rubber Corporation, The B. F. Goodrich Company, The Mohawk Rubber Co. of N. Y., Inc., and Lee Tire and Rubber Co. of N. Y., Inc., are corporations organized and existing under the laws of the State of New York; the defendants The Fisk Rubber Corporation, United States Rubber Products, Inc., and U. S. Tire Dealers Corporation are corporations organized and existing under the laws of the State of Delaware; the defendant Pennsylvania Rubber Company is a corporation organized and existing under the laws of the State of Pennsylvania; the defendant The Kelly-Springfield Tire Co. is a corporation organized and existing under the laws of the State of Maryland; the defendant The Norwalk Tire and Rubber Co., Inc., is a corporation organized and existing under the laws of the State of Connecticut; the defendant F. G. Schenuit Rubber Co. is an individual, F. G. Schenuit doing business under the trade name F. G. Schenuit Rubber Co., at Baltimore, Maryland.

3. This suit arises under the Act of July 2, 1890, C. 647, 26 Stat. 209 (as amended by Act of August 17, 1937, C. 690, 50 Stat. 693), commonly known as the "Sherman Antitrust Act," and is founded upon Section 7 of said Act, as hereinafter more fully appears.

4. Prior to August 17, 1936, the defendants The Cooper Corporation, The Dayton Rubber Manufacturing Company, Dunlop Tire and Rubber Corporation, The Falls Rubber Co.,

Complaint.

The Firestone Tire and Rubber Co., The Fisk Rubber Corporation; The General Tire and Rubber Company, The B. F. Goodrich Company, The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and United States Rubber Products, Inc., entered into a combination and conspiracy in restraint of trade and commerce among the several States and in the District of Columbia, in violation of the Act of July 2, 1890, C. 647, 26 Stat. 209 (as amended by Act of August 17, 1937, C. 690, 50 Stat. 693), commonly known as the "Sherman Antitrust Act," in that said defendants did combine and conspire and agree to fix the prices of tires on sales to the plaintiff throughout the United States.

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5. On or about August 3, 1936, the Director of the Procurement Division of the plaintiff's Treasury Department, in accordance with the method of purchasing prescribed by Section 3709 of the Revised Statutes, sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1936, to March 31, 1937.

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6. Prior to August 17, 1936, the opening date for said bids, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants named in Paragraph 4 of this complaint did submit to the Procurement Division sealed bids that were identical to the penny on 82 different

Complaint.

sizes of automobile tires, as set forth in Column 1 of Exhibit A (pp. 1-82, inclusive) attached to this complaint and incorporated as a part hereof.

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7. As a result of said illegal combination and conspiracy and agreement and said identical bidding pursuant thereto, the Procurement Division was led and induced to make contract awards for the six-month purchasing period October 1, 1936, to March 31, 1937, at the prices fixed by the said illegal combination and conspiracy and agreement. Said awards were made to The Cooper Corporation, The Dayton Rubber Manufacturing Company, Dunlop Tire and Rubber Corporation, The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, Goodyear Supply Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and United States Rubber Products, Inc. The prices at which the awards were made were substantially higher than the prices at which the awards would have been made had the said illegal combination and conspiracy and agreement not existed, as hereinafter more fully appears.

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8. Upon notification of the Procurement awards, and in accordance with the terms of their original bids, the bidders named in the preceding Paragraph of this complaint (Par. 7) entered into formal contracts with the plaintiff to supply the tire requirements of the executive departments and other establishments of the plaintiff in Washington, D. C., the Government of the District of Columbia, and all Federal Government field services (exclusive of commissary stores)

Complaint.

within the continental limits of the United States during the six-month purchasing period October 1, 1936, to March 31, 1937. Said contracts were made in the District of Columbia.

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9. The aforesaid several contracts with the bidders named in Paragraph 7 of this complaint specified the sizes the particular contractor undertook to furnish, and the Procurement purchasing zone or zones in which said contractor undertook to make delivery—the United States and the District of Columbia being divided for this purpose into thirteen (13) zones, with two or more states in each zone. The several contracts further specified distributing points in each zone for each contractor, at which the contractor was regularly to maintain an adequate fresh stock of tires and at which the various government agencies could place orders when and as tires were needed. Deliveries were to be made within two (2) calendar days after receipt of the order, f. o. b. railroad freight station in the continental United States, except Alaska, nearest to the point of destination stated in the shipping instructions or purchasing order.

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10. The aforesaid several contracts with the bidders named in Paragraph 7 of this complaint contemplated the delivery of tires by the contractors to the various government agencies throughout the United States and in the District of Columbia, and in order to maintain adequate fresh stocks of tires at their distributing points, and thus meet the two-day delivery requirement on government orders, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply to their several distributing points located in states other than those from which the shipments were

21

Complaint.

made or in the District of Columbia. In order to meet specific orders under the aforesaid several contracts, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply or their several distributing points to government agencies located in states other than those from which the shipments were made or in the District of Columbia.

22 11. During the six-month purchasing period October 1, 1936, to March 31, 1937, the plaintiff through its executive departments the Post Office Department, the Treasury Department, the Department of the Interior, and the Department of Agriculture, purchased tires under the aforesaid several contracts at the prices and in the quantities as set forth per size in Columns 1 and 11 of Exhibit A (pp. 1-82, inclusive) attached to this complaint and incorporated as a part hereof.

23 12. On or about December 23, 1936, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period April 1, 1937, to September 30, 1937.

24 13. Prior to January 25, 1937, the opening date for said bids as extended, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants The

Complaint.

Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Rubber Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and also the defendant U. S. Tire Dealers Corporation, a new member admitted to the conspiracy referred to in Paragraph 4 of this complaint, did submit to the Procurement Division sealed bids that were identical to the penny on 82 different sizes of automobile tires, as set forth in Column 2 of Exhibit A (pp. 1-82, inclusive) to this complaint.

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14. As a result of the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and the identical bidding pursuant thereto referred to in Paragraph 13 of this complaint, the Procurement Division was led and induced to make contract awards for the six-month purchasing period April 1, 1937, to September 30, 1937, at the prices fixed by the said illegal combination and conspiracy and agreement. Said awards were made to The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, Goodyear Supply Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and U. S. Tire Dealers Corporation. The prices at which the awards were made were substantially higher than the prices at which the awards would have been made had the illegal combination and conspiracy and agreement not existed, as hereinafter more fully ap-

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27

Complaint.

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pears, and said prices were also substantially higher than the prices fixed for the preceding six-month purchasing period October 1, 1936, to March 31, 1937.

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15. Upon notification of the Procurement Awards, and in accordance with the terms of their original bids, the bidders named in the preceding paragraph of this complaint (Par. 14) entered into formal contracts with the plaintiff to supply the tire requirements of the executive departments and other establishments of the plaintiff in Washington, D. C., the Government of the District of Columbia, and all Federal Government field services (exclusive of commissary stores) within the continental limits of the United States during the six-month purchasing period April 1, 1937, to September 30, 1937. Said contracts were made in the District of Columbia.

16. The said contracts for the six-month purchasing period April 1, 1937, to September 30, 1937, contained provisions identical to those referred to in Paragraph 9 of this complaint with respect to the preceding six-month purchasing period October 1, 1936, to March 31, 1937.

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17. The aforesaid several contracts with the bidders named in Paragraph 14 of this complaint contemplated the delivery of tires by the contractors to the various government agencies throughout the United States and in the District of Columbia, and in order to maintain adequate fresh stocks of tires at their distributing points and thus meet the two-day delivery requirement on Government orders, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply to their several distributing points located in

Complaint.

states other than those from which the shipments were made or in the District of Columbia. In order to meet specific orders under the aforesaid several contracts, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply or their several distributing points to government agencies located in states other than those from which the shipments were made or in the District of Columbia.

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18. During the six-month purchasing period April 1, 1937, to September 30, 1937, the plaintiff through its executive departments the Post Office Department, the Treasury Department, the Department of the Interior, and the Department of Agriculture, purchased tires under the aforesaid several contracts at the prices and in the quantities as set forth per size in Columns 2 and 12 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

32

19. On or about July 6, 1937, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1937, to March 31, 1938.

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20. Prior to July 21, 1937, the opening date for said bids, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants The Cooper Corporation,

Complaint.

34 The Dayton Rubber Manufacturing Company, The Falls Rubber Co., The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, United States Rubber Products, Inc., and also the defendant The Mohawk Rubber Co. of N. Y., Inc., a new member admitted to the conspiracy referred to in Paragraph 4 of this complaint, did submit to the Procurement Division sealed bids that were identical to the penny on 82 different sizes of automobile tires, as set forth in Column 3 of Exhibit A (pp. 1-82, inclusive) to this complaint.

35 21. The prices fixed by the said illegal combination and conspiracy for the six-month purchasing period October 1, 1937, to March 31, 1938, were substantially higher than the prices fixed for the preceding six-month period. Confronted with continued identical bidding and continued increases in prices, the Treasury Department sought the counsel of the plaintiff's Attorney General, and was advised by the Attorney General that rejection of the bids submitted for the six-month purchasing period October 1, 1937, to March 31, 1938, would be in order, on the ground that the bids were *prima facie* the result of a combination in restraint of trade.

36 22. Upon receipt of said advice, the Director of the Procurement Division rejected said bids opened July 21, 1937, and on or about September 11, 1937, again sent circular letters to all the automobile tire manufacturers in the United States and many dealers, advising said manufacturers and

Complaint.

dealers that the bids opened July 21, 1937, had been rejected because of the indication of agreement among bidders on the prices to be bid, and inviting said manufacturers and dealers to submit new sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1937, to March 31, 1938.

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23. Prior to September 20, 1937, the opening date for said new bids, the defendants named in Paragraph 20 of this complaint, with the exception of F. G. Schenuit Rubber Co., did resolve to continue in effect the illegal combination and conspiracy referred to in Paragraph 4 of this complaint, and pursuant to such resolution said defendants did submit to the Procurement Division new sealed bids that were identical to the penny on 82 different sizes of automobile tires and that were also identical to the penny to the rejected bids previously submitted by the defendants for the same period, as set forth in Column 4 of Exhibit A (pp. 1-82, inclusive) to this complaint.

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24. Upon examination of the new bids opened September 20, 1937, the Treasury Department rejected said bids as collusive, and thereupon determined that a public exigency existed requiring that the plaintiff's tire requirements for the period October 1, 1937, to March 31, 1938, be procured by open purchase or negotiated contract. In accordance with such determination, and after preliminary negotiations, the plaintiff through its Director of Procurement entered into a contract with Sears, Roebuck and Company whereby the latter agreed to furnish and did furnish the plaintiff's tire requirements throughout the United States (with the exception of a limited number of miscellaneous sizes) for the

39

Complaint.

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period October 1, 1937, to March 31, 1938, at prices lower than the prices for such period fixed by the illegal combination and conspiracy referred to in Paragraph 4 of this complaint but substantially higher than the prices at which awards for such period would have been made had the said illegal combination and conspiracy not existed, as herein-after more fully appears. Said Sears, Roebuck and Company prices (inclusive of Federal excise tax) for the period October 1, 1937, to March 31, 1938, appear per 82 different sizes in Column 5 of Exhibit A (pp. 1-82, inclusive) to this complaint.

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25. On or about January 21, 1938, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period April 1, 1938, to September 30, 1938. On this occasion said Director of Procurement expressly required that all bids submitted pursuant to such invitation contain a representation by the bidder that the prices bid were neither directly nor indirectly the result of any agreement among bidders.

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26. Among others, all the defendants in this proceeding, except the Dunlop Tire and Rubber Corporation and U. S. Tire Dealers Corporation, submitted bids for the six-month purchasing period April 1, 1938, to September 30, 1938. The bids for such period, opened February 7, 1938, were found to be competitive in character, and appear per 82 different sizes in Column 6 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

Complaint.

27. As a result of the competitive character of the bids for the six-month purchasing period April 1, 1938, to September 30, 1938, as contrasted with the non-competitive character of the bids for the three preceding six-month periods October 1, 1936, to March 31, 1937, April 1, 1937, to September 30, 1937, and October 1, 1937, to March 31, 1938, the plaintiff was enabled to procure its tire requirements for the period April 1, 1938, to September 30, 1938, at prices substantially lower than the prices at which the plaintiff procured its tires for the three preceding six-month periods. Said prices at which the plaintiff procured its tires for the period April 1, 1938, to September 30, 1938, appear per 82 different sizes in Column 7 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

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28. Had there been no illegal combination and conspiracy to fix the prices at which the plaintiff purchased its tires for the periods October 1, 1936, to March 31, 1937, April 1, 1937, to September 30, 1937, and October 1, 1937, to March 31, 1938, the plaintiff would have purchased its tires for said periods at prices at least as low as the prices at which the plaintiff purchased its tires for the period April 1, 1938, to September 30, 1938. The decline in the prices which the plaintiff paid for tires for the first three six-month periods to the prices which the plaintiff paid for tires during the period April 1, 1938, to September 30, 1938, was due solely to the elimination of the illegal combination and conspiracy to fix prices referred to in Paragraph 4 of this complaint and the advent of competitive bidding. From October 1, 1936, to September 30, 1938, there was no decline in the retail prices of tires to the general public throughout the United States.

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Complaint.

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29. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States, the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period October 1, 1936, to March 31, 1937, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference per 82 different sizes of tires appears in Column 8 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference for that size by the number of tires of that size purchased, as appears in Column 11 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The total minimum injury thus sustained by the plaintiff on the purchases referred to in Paragraph 11 of this complaint amounts to \$98,997.57.

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30. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period April 1, 1937, to September 30, 1937, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference per 82 different sizes of tires appears in Column 9 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference for that size by the number of tires of that size purchased, as appears in Column 12 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The total minimum

Complaint.

injury thus sustained by the plaintiff on the purchases referred to in Paragraph 18 of this complaint amounts to \$127,160.64.

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31. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States, the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period October 1, 1937, to March 31, 1938, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference (computed without deduction of Federal excise tax) appears per 82 different sizes of tires in Column 10 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference (less deduction of Federal excise tax) for that size by the number of tires of that size purchased. The total minimum injury sustained by the plaintiff on tire purchases during the period October 1, 1937, to March 31, 1938, is estimated at \$125,000.

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Wherefore, the plaintiff, in accordance with the provisions of Section 7 of the Sherman Antitrust Act, demands judgment against the defendants in the amount of \$1,053,474.63, representing thrice the actual damages sustained by the plaintiff on the purchases referred to in Paragraph 11 of this complaint, plus thrice the actual damages sustained by the plaintiff on the purchases referred to in Paragraph 18 of this complaint, plus thrice the estimated actual damages sustained by the plaintiff on tire purchases during the period October 1, 1937, to March 31, 1938, and plaintiff further

51

Complaint.

demands judgment against the defendants for the costs of this suit, including a reasonable attorney's fee.

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(Signed) GREGORY F. NOONAN,
*United States District Attorney for
the Southern District of New York.*

FRANK MURPHY,

Attorney General of the United States.

THURMAN ARNOLD,

Assistant Attorney General.

ALLEN DOBEY,

53 *Special Assistant to the Attorney General.*

JOSEPH McDOWELL,

Special Attorney.

RICHARD DECKER,

Special Attorney.

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Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 9/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/36 to 3/31/38 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co.	... \$4.49	... \$5.05	... \$5.05	... \$5.05	... \$4.73	... \$4.63	... \$4.16	... \$0.33	... \$0.60	... \$0.57	... 4.76	... 4.76
The Cooper Corp	\$4.49	... 4.49	... 5.05	... 5.05	... 5.05	... 4.76	... 4.25	... 10	... 10	... 25	... 4.76	... 4.76
Dayton Rubber Mfg	4.49	... 4.49	... 5.05	... 5.05	... 5.05	... 5.07	... 5.07	... 5.97	... 5.97	... 5.97	... 5.07	... 5.07
Dunlop Tire	4.49	... 4.49	... 5.05	... 5.05	... 5.05	... 5.05	... 5.07	... 5.97	... 5.97	... 5.97	... 5.07	... 5.07
Falls Rubber Corp	4.49	... 4.49	... 5.05	... 5.05	... 5.05	... 5.05	... 5.07	... 5.97	... 5.97	... 5.97	... 5.07	... 5.07
Firestone Tire	4.49	\$4.76	5.05	5.05	5.05	5.05	5.26	5.26	5.26	5.26	5.26	5.26
Fisk Rubber Corp	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
General Tire	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
B. F. Goodrich Co	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
Goodyear Tire	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
Hicks Rubber Co.	... 4.49	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.42	... 5.42	... 5.42	... 5.42	... 5.42	... 5.42
Kelly-Springfield	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
Lee Tire & Rubber	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
Mohawk	... 4.49	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05
Norwalk Tire	4.49	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57
Pennsylvania	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
F. G. Schenuit	4.49	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57
Seiberling Rubber	4.49	4.76	5.05	5.05	5.05	5.05	5.25	5.25	5.25	5.25	5.25	5.25
U. S. Rubber Prod	4.49	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57
U. S. Tire Dealers	... 4.76	... 5.05	... 5.05	... 5.05	... 5.05	... 5.05	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57	... 5.57

EXHIBIT A (P. 2)

SIZE: 4.50 BY 21 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Reebuck & Co. price for period 10/1/37 to 3/31/38	Column 5 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11 Number of tires purchased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	Column 13 Damages sustained on such purchases (751X\$1.16)	Column 14 Damages sustained on such purchases (998X\$0.63)	Column 15 (\$628.74 \$871.16)
Sears, Roebuck & Co	...	...	...	\$6.41	\$6.41	...	\$6.25	\$5.90	\$0.63	\$1.16	...	...	...	...	...
The Cooper Corp	\$5.71	...	...	6.41	6.41	...	5.29	5.29	...	...	...	...	...	...	\$1.17
Dayton Rubber Mfg	5.71	...	...	6.41	6.41	...	6.09	...	...	...	...	...	...	...	...
Dunlop Tire	5.71	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	5.71	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Firestone Tire	5.71	\$6.05	6.41	6.41	...	...	5.52	998	751	...	...	...	...	...	...
Fisk Rubber Corp	5.71	6.05	...	...	...	...	...	...	...	...	...	...	...	...	...
General Tire	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
B. F. Goodrich Co	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
Goodyear Tire	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kelly-Springfield	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
Lee Tire & Rubber	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
Mohawk	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Norwalk Tire	5.71	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
F. G. Schenuit	5.71	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	5.71	6.05	6.41	6.41	...	...	...	...	...	...	...	...	...	...	...
U. S. Rubber Prod	5.71	...	...	...	...	...	...	...	...	...	...	...	...	...	...
U. S. Tire Dealers	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

EXHIBIT A (2) (c)

SIZE: 4.75 BY 19 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 5 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$4.82	....	....	....	\$5.42	....	....	\$4.86	\$0.48	\$0.77	\$0.72
The Cooper Corp	\$4.82	....	....	....	\$5.42	....	....	4.89	Column 11	Column 12	
Dayton Rubber Mfg	4.82	....	....	....	5.42	5.42	....	5.13	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 9/30/37 to 4/1/37 to 9/30/37	
Dunlop Tire	4.82	....	....	....	....	....	....	....
Falls Rubber Corp	4.82	....	....	....	5.42	5.42	....	4.95	46	40	
Firestone Tire	4.82	\$5.11	5.11	5.11	5.42	5.42	....	4.55	....	....
Fisk Rubber Corp	4.82	5.11	5.11	5.11	5.42	5.42	....	4.62	Damages sustained on such purchases	Damages sustained on such purchases	
General Tire,	4.82	5.11	5.11	5.11	5.42	5.42	....	5.21	(46X\$0.48)	(40X\$0.77)	
B. F. Goodrich Co	4.82	5.11	5.11	5.11	5.42	5.42	....	4.47	....	....
Goodyear Tire	4.82	5.11	5.11	5.11	5.42	5.42	....	7.27	\$22.08	\$30.80	
Hicks Rubber Co	....	....	....	....	....	....	....	5.67	....	....
Kelly-Springfield	4.82	5.11	5.11	5.11	5.42	5.42	....	5.01	....	....
Lee Tire & Rubber	4.82	5.11	5.11	5.11	5.42	5.42	....	5.37	....	....
Mohawk	....	....	....	....	5.42	5.42	....	5.19	....	....
Norwalk Tire	4.82	....	....	....	5.42	5.42	....	5.73	....	....
Pennsylvania	4.82	5.11	5.11	5.11	5.42	5.42	....	4.76	....	....
F. G. Schenuit	4.82	....	....	....	....	....	....	6.13	....	....
Seiberling Rubber	4.82	5.11	5.11	5.11	5.42	5.42	....	4.34	....	....
U. S. Rubber Prod	4.82	....	....	....	5.42	5.42	....	4.21	....	....
U. S. Tire Dealers	....	....	....	5.11	....	....	....	....	....	....

EXHIBIT A (P. 4)

SIZE: 4.75 BY 19 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/36 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Opening of 2/27/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	\$5.29	\$6.65	\$1.01	$0.96
years, Roebuck & Co	\$5.94	...	...	\$6.68	\$6.68	...	5.49	Column 11	Column 12	
he Cooper Corp	5.94	...	...	6.68	6.68	...	6.36	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 9/30/37 to 9/30/38 award prices	
ayton Rubber Mfg	5.94	...	...	...	...	...	...
unlop Tire	5.94	...	...	...	...	...	...
alls Rubber Corp	5.94	...	...	6.68	6.68	...	5.48			
irestone Tire	5.94	\$6.30	6.68	6.68	6.68	...	5.60			
isk Rubber Corp	5.94	6.30	6.68	6.68	6.68	...	5.53			
eneral Tire	5.94	6.30	6.68	6.68	6.68	...	6.51	Damages sustained on such purchases	Damages sustained on such purchases	
F. Goodrich Co.	5.94	6.30	6.68	6.68	6.68	...	5.60	(2,371X\$0.65)	(2,432X\$1.01)	
oodyear Tire	5.94	6.30	6.68	6.68	6.68	...	9.31			
icks Rubber Co	5.94	...	...	...	...	...	6.85	\$1,541.15	\$2,455.32	
elly-Springfield	5.94	6.30	6.68	6.68	6.68	...	6.31			
ee Tire & Rubber	5.94	6.30	6.68	6.68	6.68	...	6.38			
hawk	5.94	...	...	6.68	6.68	...	6.49			
orwalk Tire	5.94	...	...	6.68	6.68	...	7.16			
ennsylvania	5.94	6.30	6.68	6.68	6.68	...	5.88			
G. Schenjuit	5.94	...	...	...	...	...	7.66			
leberling Rubber	5.94	6.30	6.68	6.68	6.68	...	5.29			
S. Rubber Prod	5.94	6.30	6.68	6.68	6.68	...	5.42			
S. Tire Dealer	5.94	...	...	...	...	...

EXHIBIT A (P. 5)
SIZE: 5.00 BY 17 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sean buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 A ward prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 4/1/37 to 9/30/37
Sears, Roepuck & Co	.....	.....	.....	.....	.....	.....	\$5.42	\$5.10	\$4.54	\$0.43	\$0.73	\$0.88
The Cooper Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dayton Rubber Mfg	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dunlop Tire	\$4.97	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	4.97	\$5.27	\$5.59	\$5.59	.....	.....	4.54	.....	.....	.....	.....	.....
Firestone Tire	4.97	5.27	5.59	5.59	.....	.....	4.54	.....	.....	.....	.....	.....
Fisk Rubber Corp	4.97	5.27	5.59	5.59	.....	.....	4.71	.....	.....	.....	.....	.....
General Tire	4.97	5.27	5.59	5.59	.....	.....	5.31	.....	.....	.....	.....	.....
B. F. Goodrich Co.	4.97	5.27	5.59	5.59	.....	.....	4.93	.....	.....	.....	.....	.....
Goodyear Tire	4.97	5.27	5.59	5.59	.....	.....	6.26	(8X\$0.43)	.....	(12X\$0.73)	.....	.....
Hicks Rubber Co	4.97	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	4.97	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	.....	5.27	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
U. S. Rubber Prod	4.97	.....	.....	.....	.....	.....	5.59	5.59	.....	.....	.....	.....
U. S. Tire Dealers	5.27	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

23

67

68

69

EXHIBIT A (P. 6)

SIZE: 5.00 BY 19 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 7/21/37 for period 10/1/37 to 9/30/37	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Award Prices 4/1/38 to 9/30/38	Opening of 2/7/38 for Period 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11	Column 12
Sears, Roebuck & Co	...	...	...	\$5.54	\$5.18	\$4.51	\$0.58	\$0.89	\$1.03	
The Cooper Corp	\$5.09	...	\$5.72	\$5.72	...	5.15				
Dayton Rubber Mfg	5.09	...	5.72	5.72	...	5.43				
Dunlop Tire	5.09	...	...	...	...	...
Falls Rubbler Corp	5.09	...	5.72	5.72	...	5.36				
Firestone Tire	5.09	\$5.40	5.72	5.72	...	4.92				
Fisk Rubber Corp	5.09	5.40	5.72	5.72	...	4.79				
General Tire	5.09	5.40	5.72	5.72	...	5.61				
B. F. Goodrich Co	5.09	5.40	5.72	5.72	...	4.99				
Goodyear Tire	5.69	5.40	5.72	5.72	...	6.63				
Hicks Rubber Co	...	...	...	...	...	...	5.93			
Kelly-Springfield	5.09	5.40	5.72	5.72	...	5.40				
*Lee Tire & Rubber	5.09	5.40	5.72	5.72	...	5.59				
Mohawk	...	...	5.72	5.72	...	5.60				
Norwalk Tire	5.09	...	5.72	5.72	...	6.18				
Pennsylvania	5.09	5.40	5.72	5.72	...	5.21				
F. G. Schenuit	5.09	...	...	...	...	...	6.61			
Seiberling Rubber	5.09	5.40	5.72	5.72	...	4.51				
U. S. Rubber Prod	5.09	...	5.72	5.72	...	4.51				
U. S. Tire Dealers	5.40	...	...	...	...	...	...	...	...

EXHIBIT A (P. 7)

SIZE: 5.00 BY 19 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/26/37 for period 10/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	\$7.34	\$7.34	Award Co. price for period 10/1/37 to 3/31/38	Opening of 2/27/38 for period 4/1/38 to 9/30/38	\$6.85	\$6.56	\$5.51	\$1.41	$1.34
Sears, Roebuck & Co.	....	....	....	....	....	....	....	....	5.79	Column 11	Column 12
The Cooper Corp	\$6.53	....	....	\$7.34	\$7.34	....	....	....	7.03	Number of tires purchased during period 10/1/36 to 3/31/37	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Dayton Rubber Mfg	6.53	....	7.34	7.34	....	....	....	....	....	....	....
Dunlop Tire	6.53	....	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	6.53	....	....	7.34	7.34	....	....	....	5.92	73	56
Firestone Tire	6.53	\$6.92	7.34	7.34	....	....	....	....	6.05	....	....
Fisk Rubber Corp	6.53	6.92	7.34	7.34	....	....	....	....	5.71	....	....
General Tire	6.53	6.92	7.34	7.34	....	....	....	....	7.03	Damages sustained on such purchases	Damages sustained on such purchases
B. F. Goodrich Co.	6.53	6.92	7.34	7.34	....	....	....	....	6.25	(73X\$1.02)	(56X\$1.41)
Goodyear Tire	6.53	6.92	7.34	7.34	....	....	....	....	8.30	....	....
Hicks Rubber Co.	....	....	....	....	....	....	....	....	7.31	....	....
Kelly-Springfield	6.53	6.92	7.34	7.34	....	....	....	....	6.83	....	....
Lee Tire & Rubber	6.53	6.92	7.34	7.34	....	....	....	....	7.00	....	....
Mohawk	....	....	....	7.34	7.34	....	....	....	7.01	....	....
Norwalk Tire	6.53	....	....	....	7.34	7.34	....	....	7.74	....	....
Pennsylvania	6.53	6.92	7.34	7.34	....	....	....	....	6.44	....	....
F. G. Schenuit	6.53	....	....	....	....	....	....	....	8.28	....	....
Seiberling Rubber	6.53	6.92	7.34	7.34	....	....	....	....	5.51	....	....
U. S. Rubber Prod	6.53	....	7.34	7.34	....	....	....	....	5.80	....	....
U. S. Tire Dealers	....	6.92	....	....	....	....	....	....	....	....	....

25

73

74

75

EXHIBIT A (P. 8)

SIZE: 5.25 BY 17 (PASSENGER, 4 PLY).

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 6 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 7 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
	(All others)									
Sears, Roebuck & Co	\$5.69	...	...	...	...	\$5.88	\$5.16	\$4.94	\$1.09	\$0.94
The Cooper Corp	5.69	...	\$6.39	\$6.39	...	...	5.55 (Zones 1-5)	...	...	...
Dayton Rubber Mfg	5.69	...	6.39	6.39	...	...	6.08	4.85	...	...
Dunlop Tire	5.69	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	5.69	...	6.39	6.39	...	...	5.23	...	...	...
Firestone Tire	5.69	\$6.03	6.39	6.39	...	...	4.85	...	...	...
Fisk Rubber Corp	5.69	6.03	6.39	6.39	...	...	4.94	...	...	...
General Tire	5.69	6.03	6.39	6.39	...	...	5.94	...	...	...
B. F. Goodrich Co	5.69	6.03	6.39	6.39	...	...	5.01	259	...	281
Goodyear Tire	5.69	6.03	6.39	6.39	...	...	4.97	...	...	...
Hicks Rubber Co	5.69	6.03	6.39	6.39	...	...	5.95	...	...	...
Kelly Springfield	5.69	6.03	6.39	6.39	...	...	5.72	...	...	...
Lee Tire & Rubber	5.69	6.03	6.39	6.39	...	...	5.74	...	...	...
Mohawk	5.69	...	...	...	...	6.39	...	5.92	\$194.25	...
Norwalk Tire	5.69	...	6.39	6.39	...	...	6.53	...	...	...
Pennsylvania	5.69	6.03	6.39	6.39	...	...	5.53	...	...	...
F. G. Schenuit	5.69	...	...	...	...	...	...	...	...	...
Seiberling Rubber	5.69	6.03	6.39	6.39	...	...	...	...	...	...
U. S. Rubber Prod	5.69	...	6.39	6.39	...	...	...	...	...	...
U. S. Tire Dealers	6.03	...	...	...	...	...	...	...	...	...

Damages sustained
on such purchases
(281X\$1.09) \$306.29

Damages sustained
on such purchases
(259X\$0.75) \$194.25

Damages sustained
on such purchases
5.95

Damages sustained
on such purchases
5.72

Damages sustained
on such purchases
5.74

Damages sustained
on such purchases
5.92

Damages sustained
on such purchases
6.53

Damages sustained
on such purchases
5.53

EXHIBIT A (P. 9)

SIZE: 5.25 BY 17 (PASSENGER, 6 PLX)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 or period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 or period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$8.01	\$8.01	....	\$7.35	\$6.64	\$5.93
The Cooper Corp	\$7.13	....	....	....	....	....	....	....	6.30 (Zones 1-5)	\$1.32
Dayton Rubber Mfg	7.13	....	....	....	8.01	8.01	....	....	7.66	6.03
Dunlop Tire	7.13	....	....	....	....	....	....	....	(All others)	....
Falls Rubber Corp	7.13	....	....	....	8.01	8.01	....	....	5.82	Column 11
Firestone Tire	7.13	\$7.56	....	....	8.01	8.01	....	....	6.03	Column 12
Fisk Rubber Corp	7.13	7.56	....	....	8.01	8.01	....	....	5.93	Number of tires purchased during period 10/1/36 to 3/31/37
General Tire	7.13	7.56	....	....	8.01	8.01	....	....	7.41	....
B. F. Goodrich Co	7.13	7.56	....	....	8.01	8.01	....	....	1.533	....
Goodyear Tire	7.13	7.56	....	....	8.01	8.01	....	....	1.317	....
Hicks Rubber Co	....	....	....	....	....	....	....	....	6.60	....
Kelly-Springfield	7.13	7.56	....	....	8.01	8.01	....	....	7.15	....
Lee Tire & Rubber	7.13	7.56	....	....	8.01	8.01	....	....	7.15	....
Mohawk	....	....	....	....	....	....	....	....	7.40	....
Norwalk Tire	7.13	....	....	....	8.01	8.01	....	....	8.18	....
Pennsylvania	7.13	7.56	....	....	8.01	8.01	....	....	6.91	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Seiberling Rubber	7.13	7.56	....	....	8.01	8.01	....	....	....	6.08
U. S. Rubber Prod	7.13	....	....	....	8.01	8.01	....	....	....	6.18
U. S. Tire Dealers	....	7.56	....	....	....	....	....	....	....	....

EXHIBIT A (P. 10)

SIZE: 5.25 BY 18 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 9/30/38	Column 5 Sears, Roebuck & Co. prices for period 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 Co. prices for period 10/1/37 to 3/31/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	\$5.78	....	....	\$6.50	\$6.50	....	\$6.05	\$5.15	\$5.01	\$1.12
The Cooper Corp	\$5.78	....	....	....	....	....	....	5.46 (Zones 1-5)	....	\$1.04
Dayton Rubber Mfg	5.78	....	....	....	....	....	....	6.16	4.90	....
Dunlop Tire	5.78	....	....	....	....	....	....	....	(All others)	....
Falls Rubber Corp	5.78	....	....	6.50	6.50	....	....	5.34	....	....
Firestone Tire	5.78	\$6.13	6.50	6.50	6.50	....	....	5.05	....	....
Fisk Rubber Corp	5.78	6.13	6.50	6.50	6.50	....	....	5.01	....	....
General Tire	5.78	6.13	6.50	6.50	6.50	....	....	6.14	....	....
B. F. Goodrich Co	5.78	6.13	6.50	6.50	6.50	....	....	5.31	....	....
General Tire	5.78	6.13	6.50	6.50	6.50	....	....	72	104	....
Hicks Rubber Co	....	....	....	....	....	....	....	6.14	....	....
Kelly-Springfield	5.78	6.13	6.50	6.50	6.50	....	....	6.14	....	....
Lee Tire & Rubber	5.78	6.13	6.50	6.50	6.50	....	....	5.96	....	....
Mohawk	....	....	....	....	....	....	....	5.95	....	....
Norwalk Tire	5.78	....	....	....	....	....	....	6.15	....	....
Pennsylvania	5.78	6.13	6.50	6.50	6.50	....	....	6.80	....	....
F. G. Schenuit	5.78	....	....	....	....	....	....	5.47	....	....
Seiberling Rubber	5.78	6.13	6.50	6.50	6.50	....	....	7.28	....	....
U. S. Rubber Prod	5.78	....	....	....	....	....	....	5.16	....	....
U. S. Tire Dealers	....	....	....	....	....	....	....	4.90	....	....

EXHIBIT A (P. 11)

SIZE: 5.25 BY 18 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/1/36 for period 10/1/36 to 3/31/37	Opening of 1/26/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/38 award price and 4/1/38 to 9/30/38 award price	\$6.95 (\$0.93 \$1.36 \$1.17	Difference between 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co										
The Cooper Corp	\$7.23	...		\$8.12	\$8.12	...	\$7.47	\$6.95 (\$0.93 \$1.36 \$1.17		
Dayton Rubber Mfg	7.23	...		8.12	8.12	...	...	6.09 (Zones 1-5)		
Dunlop Tire	7.23	...		8.12	8.12	...	7.76	6.30 (All others)		
Falls Rubber Corp	7.23	...		8.12	8.12	...	...	5.94		
Firestone Tire	7.23	\$7.66		8.12	8.12	...	6.28	Column 11	Column 12	
Fisk Rubber Corp	7.23	7.66		8.12	8.12	...	6.17	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
General Tire	7.23	7.66		8.12	8.12	...	7.69			
B. F. Goodrich Co	7.23	7.66		8.12	8.12	...	1.872			
Goodyear Tire	7.23	7.66		8.12	8.12	...	6.72			
Hicks Rubber Co								7.20		
Kelly-Springfield	7.23	7.66		8.12	8.12	...	7.39	Damages sustained on such purchases	Damages sustained on such purchases	
Lee Tire & Rubber	7.23	7.66		8.12	8.12	...	7.49	(1,872X\$0.93)	(1,342X\$1.36)	
Mohawk							7.24			
Norwalk Tire	7.23	...		8.12	8.12	...	7.68	\$1,740.96	\$1,825.12	
Pennsylvania	7.23	7.66		8.12	8.12	...	8.49			
F. G. Schenuit	7.23	...		8.12	8.12	...	6.54			
Seiberling Rubber	7.23	7.66		8.12	8.12	...	9.10			
U. S. Rubber Prod	7.23	...		8.12	8.12	...	6.40			
U. S. Tire Dealers							6.30			
				7.66	...	...	...	...	...	...

EXHIBIT A (P. 12)

SIZE: 5.25 BY 19 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 9/30/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roe- buck & Co. price for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 award price	Difference be- tween 10/1/37 award price and 4/1/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 award price
Sears, Roebuck & Co	\$6.04	...	...	\$6.78	\$6.78	\$6.40	\$5.82	\$5.31	\$0.73	\$1.09
The Cooper Corp	\$6.04	...	...	6.78	6.78	5.69	5.69	5.69	...	\$1.09
Dayton Rubber Mfg	6.04	...	...	6.78	6.78	6.43	6.43	6.43	...	Column 12
Dunlop Tire	6.04	...	...	...	...	...	...	...	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 9/30/37 to 4/1/37
Falls Rubber Corp	6.04	...	...	...	...	...	...	...	...	...
Firestone Tire	6.04	\$6.40	6.78	6.78	6.78	5.31	5.31	5.31	6	6
Fisk Rubber Corp	6.04	6.40	6.78	6.78	6.78	5.19	5.19	5.19	...	...
General Tire	6.04	6.40	6.78	6.78	6.78	6.34	6.34	6.34	Damages sustained on such purchases	Damages sustained on such purchases
B. F. Goodrich Co	6.04	6.40	6.78	6.78	6.78	6.21	6.21	6.21	...	...
Goodyear Tire	6.04	6.40	6.78	6.78	6.78	7.52	7.52	7.52	(6X\$0.73)	(6X\$1.09)
Hicks Rubber Co	...	...	...	...	...	6.55	6.55	6.55	\$4.38	\$6.54
Kelly-Springfield	6.04	6.40	6.78	6.78	6.78	6.16	6.16	6.16	...	...
Lee Tire & Rubber	6.04	6.40	6.78	6.78	6.78	5.91	5.91	5.91	...	...
Mohawk	...	...	...	...	...	6.34	6.34	6.34	...	...
Norwalk Tire	6.04	...	...	...	...	...	...	...	...	...
Pennsylvania	6.04	6.40	6.78	6.78	6.78	...	...	...	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	6.04	6.40	6.78	6.78	6.78	...	...	...	...	...
U. S. Rubber Prod	6.04	6.40	6.78	6.78	6.78	...	...	...	...	...
U. S. Tire Dealers	...	...	...	...	...	...	...	...	...	...

EXHIBIT A (P. 13)

SIZE: 5.25 BY 19 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 9/30/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 9/30/38	Sears, Roebuck & Co. price for period 10/1/37 to 9/30/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	\$6.51	\$1.17	\$1.63
Sears, Roebuck & Co	\$7.68	....	....	\$8.63	\$8.63	....	6.36	Column 11	Column 12	\$1.54
The Cooper Corp	7.68	....	....	8.63	8.63	....	8.26	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
Mayton Rubber Mfg	7.68	....	....	....	....	....	....
Uniroyal Tire	7.68	....	....	....	....	....	....
Wall's Rubber Corp ^a	7.68	....	....	....	....	....	....
Bridgestone Tire	7.68	\$8.14	8.63	8.63	8.63	....	6.51	19	25	
Black Rock Rubber Corp	7.68	....	....	....	....	....	....
General Tire	7.68	8.14	8.63	8.63	8.63	....	7.96	Damages sustained on such purchases	Damages sustained on such purchases	
F. Goodrich Co	7.68	8.14	8.63	8.63	8.63	....	7.74	(19X\$1.17)	(25X\$1.63)	
Goodyear Tire	7.68	8.14	8.63	8.63	8.63	....	7.56	\$22.23	\$40.75	
Wicks Rubber Co	7.68	....	....	....	....	....	....
Yellow Springs Tire & Rubber	7.68	8.14	8.63	8.63	8.63	....	7.66			
Hohawk	7.68	....	....	....	....	....	7.52			
Forwalk Tire	7.68	....	....	....	....	....	7.92			
Pennsylvania	7.68	8.14	8.63	8.63	8.63	....	7.57			
G. Schenuit	7.68	8.14	....	....	....	....	....
Leiberling Rubber	7.68	....	....	....	....	....	....
S. Rubber Prod	7.68	....	....	....	....	....	....
S. Tire Dealers	7.68	....	....	....	....	....	....

31

94

95

96

EXHIBIT A (P. 14)

SIZE: 5.50 BY 16 (PASSENGER, 4 PLY)

32

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co., price for period 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co.	\$6.34	\$5.79	\$4.77	\$1.49	\$1.87	\$1.57	....	....
The Cooper Corp
Dayton Rubber Mfg	\$7.04	\$7.04	....	....	6.70	....	....	....	....
Dunlop Tire
Falls Rubber Corp	7.04	7.04	....	5.34	....	....	....	....
Firestone Tire	7.04	7.04	....	4.77	....	....	....	....
Fisk Rubber Corp	6.64	7.04	....	5.02	....	....	....	....
General Tire	6.64	7.04	....	6.67	....	....	....	....
B. F. Goodrich Co.	6.26	6.64	7.04	7.04	....	....	....	5.28	....	....	....	....
Goodyear Tire	6.26	6.64	7.04	7.04	....	....	....	7.82	....	....	....	....
Hicks Rubber Co	6.74	....	....	....	....
Kelly-Springfield	6.64	7.04	....	7.16	....	....	....	....
Lee Tire & Rubber	6.64	7.04	....	5.58	....	....	....	....
Mohawk	7.04	7.04	....	6.66	....	....	....
Norwalk Tire	7.37	....	....	....
Pennsylvania	6.64	7.04	....	5.96	....	....	....	....
F. G. Schemuit
Seiberling Rubber	6.26	6.64	7.04	7.04	....	....	....	5.14	....	....	....	....
U. S. Rubber Prod	6.26	6.64	7.04	7.04	....	....	....	5.56	....	....	....	....
U. S. Tire Dealers

EXHIBIT A (P. 15)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 5 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 6 Award prices 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co					\$6.50	\$5.80	\$5.31	\$1.00	\$1.38	\$1.19
The Cooper Corp	\$6.31	....	....	\$7.09	\$7.09	....	6.01	....	....	....
Dayton Rubber Mfg	6.31	....	7.09	7.09	....	6.72	....	....	....	....
Dunlop Tire	6.31	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	6.31	....	7.09	7.09	....	6.06	....	....	....	....
Firestone Tire	6.31	\$6.69	7.09	7.09	....	5.31	....	....	....	....
Fisk Rubber Corp	6.31	6.69	7.09	7.09	....	5.51	....	....	....	....
General Tire	6.31	6.69	7.09	7.09	....	6.67	....	....	....	....
R. F. Goodrich Co	6.31	6.69	7.09	7.09	....	5.37	....	....	....	....
Goodyear Tire	6.31	6.69	7.09	7.09	....	4.97	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	7.30	....	....	....
Kelly-Springfield	6.31	6.69	7.09	7.09	....	....	....	7.28	....	....
Lee Tire & Rubber	6.31	6.69	7.09	7.09	....	....	....	6.29	....	....
Mohawk	....	....	....	....	....	....	....	6.35	....	....
Norwalk Tire	6.31	....	....	....	....	....	....	7.38	....	....
Pennsylvania	6.31	6.69	7.09	7.09	....	....	....	5.77	....	....
F. G. Schenuit	6.31	....	....	....	....	....	....	7.91	....	....
Seiberling Rubber	6.31	6.69	7.09	7.09	....	....	....	5.30	....	....
U. S. Rubber Prod	6.31	....	....	....	....	....	....	5.58	....	....
U. S. Tire Dealers	....	6.69	....	....	....	....	....	....	....	....

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/21/37 for period 4/1/37 to 9/30/37	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/27/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	\$6.47	\$1.10	\$1.55
years, Roebuck & Co	\$7.57	....	....	\$8.50	\$8.50	....	7.05	Column 11	Column 12	\$1.32
The Cooper Corp.	7.57	....	....	8.50	8.50	....	8.10	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/38 award price	
Dayton Rubber Mfg	7.57	....	....	8.50	8.50	....	7.19			
Punlop Tire	7.57	....	....	8.50	8.50	....	7.454	7.127		
Galls Rubber Corp	7.57	....	....	8.50	8.50	....	6.47			
Bridgestone Tire	7.57	\$8.02	....	8.50	8.50	....	6.42			
Risk Rubber Corp	7.57	8.02	....	8.50	8.50	....	6.42			
General Tire	7.57	8.02	....	8.50	8.50	....	8.02	Damages sustained on such purchases	Damages sustained on such purchases	
F. Goodrich Co	7.57	8.02	....	8.50	8.50	....	6.92			
Goodyear Tire	7.57	8.02	....	8.50	8.50	....	7.15	(7.454X\$1.10)	(7.127X\$1.55)	
Jicks Rubber Co	7.57	....	....	8.50	8.50	....	8.16	\$8,199.40	\$11,046.85	
Jelly, Springfield	7.57	8.02	....	8.50	8.50	....	8.70			
Fee Tire & Rubber	7.57	8.02	....	8.50	8.50	....	7.71			
Hohawk	7.57	....	....	8.50	8.50	....	7.62			
Corwalk Tire	7.57	....	....	8.50	8.50	....	8.86			
Pennsylvania	7.57	8.02	....	8.50	8.50	....	6.66			
G. Schenuit	7.57	....	....	8.50	8.50	....	9.49			
Leibering Rubber	7.57	8.02	....	8.50	8.50	....	6.38			
S. Rubber Prod	7.57	....	....	8.50	8.50	....	6.80			
S. Tire Dealers	8.02	....	....	....	....	....	....

EXHIBIT A (P. 17)

SIZE: 6.50 BY 18 (PASSENGER, 4 PLY)

35

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co., price for period 4/1/38 to 9/30/38	Column 5 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 6 Award prices 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
	(All others)									
Sears, Roebuck & Co	...	...	...	\$6.85	\$6.25	\$5.73	\$0.90	\$1.30	\$1.11	
The Cooper Corp	\$6.64	...	\$7.46	\$7.46	...	...	6.11 (Zones 1-5)			
Dayton Rubber Mfg	6.64	...	7.46	7.46	...	...	7.05	\$5.74		
Dunlop Tire	6.64	...	7.46	7.46	...	...	5.77			
Falls Rubber Corp	6.64	...	7.46	7.46	...	...	5.74			
Firestone Tire	6.64	\$7.04	7.46	7.46	...	...	5.73			
Fisk Rubber Corp	6.64	7.04	7.46	7.46	...	...	7.03			
General Tire	6.64	7.04	7.46	7.46	...	...	7			
B. F. Goodrich Co	6.64	7.04	7.46	7.46	...	...	6.67			
Goodyear Tire	6.64	7.04	7.46	7.46	...	...	8.32			
Hicks Rubber Co	...	7.04	7.46	7.46	...	...	6.64			
Kelly-Springfield	6.64	7.04	7.46	7.46	...	...	6.86			
Lee Tire & Rubber	6.64	7.04	7.46	7.46	...	...	6.20	(7X\$0.90)		
Mohawk	...	...	7.46	7.46	...	...	7.01	\$6.30		
Norwalk Tire	6.64	...	7.46	7.46	...	...	7.76			
Pennsylvania	6.64	7.04	7.46	7.46	...	...	6.44			
F. G. Schenuit	6.64	...	7.46	7.46	...	...	8.32			
Seiberling Rubber	6.64	7.04	7.46	7.46	...	...	5.76			
U. S. Rubber Prod	6.64	...	7.46	7.46	...	...	5.76			
U. S. Tire Dealers	7.04	...	...	...	...	...	...	...	...

103

104

105

EXHIBIT A (P. 19)

SIZE: 5.50 BY 19 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	\$1.26	\$1.08	
Sears, Roebuck & Co	...	...	...	\$7.59	\$7.59	...	6.51	Column 11	Column 12	Column 13
The Cooper Corp	\$6.75	...	...	7.59	7.59	...	7.16	Number of tires pur- chased during period 10/1/36 to 3/31/37	Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	2
Dayton Rubber Mfg	6.75	...	...	7.59	7.59	...	7.16	Number of tires pur- chased during period 10/1/36 to 3/31/37	Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	2
Dunlop Tire	6.75	...	...	7.59	7.59	...	7.16	Number of tires pur- chased during period 10/1/36 to 3/31/37	Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	2
Falls Rubber Corp	6.75	\$7.16	7.16	7.59	7.59	...	6.15	...	...	...
Firestone Tire	6.75	7.16	7.16	7.59	7.59	...	5.90	...	...	...
Fisk Rubber Corp	6.75	7.16	7.16	7.59	7.59	...	5.90	...	...	...
General Tire	6.75	7.16	7.16	7.59	7.59	...	7.16	Damages sustained on such purchases	Damages sustained on such purchases	110
B. F. Goodrich Co	6.75	7.16	7.16	7.59	7.59	...	7.00	(8X\$0.85)	(2X\$1.26)	111
Goodyear Tire	6.75	7.16	7.16	7.59	7.59	...	8.49	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	6.86	\$6.80	\$2.52	...
Kelly-Springfield	6.75	7.16	7.16	7.59	7.59	...	6.86	...	...	...
Lee Tire & Rubber	6.75	7.16	7.16	7.59	7.59	...	6.97	...	...	...
Mohawk	...	...	...	7.59	7.59	...	6.63	...	...	...
Norwalk Tire	6.75	...	...	7.59	7.59	...	7.16	...	...	...
Pennsylvania	6.75	7.16	7.16	7.59	7.59	...	7.91	...	...	...
F. G. Schenuit	6.75	...	...	7.59	7.59	...	6.56	...	...	...
Seiberling Rubber	6.75	7.16	7.16	7.59	7.59	...	8.48	...	...	...
U. S. Rubber Prod	6.75	...	...	7.59	7.59	...	5.97	...	...	...
U. S. Tire Dealers	7.16	...	...	...	...	...	5.98	...	...	...

EXHIBIT A (P. 20)

SIZE: 5.50 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for Period 10/1/37 to 3/31/38	Column 4 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38 award price	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 award price	Column 9 Difference be- tween 4/1/37 award price and 4/1/38 award price	Column 10 Difference be- tween 10/1/37 award price and 4/1/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 4/1/37 to 9/30/38	
Sears, Roebuck & Co	... \$8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
The Cooper Corp	... \$8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Dayton Rubber Mfg	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Dunlop Tire	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Falls Rubber Corp	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Firestone Tire	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Fisk Rubber Corp	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
General Tire	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
B. F. Goodrich Co	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Goodyear Tire	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Hicks Rubber Co	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Kelly-Springfield	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Lee Tire & Rubber	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Mohawk	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Norwalk Tire	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Pennsylvania	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
F. G. Schenuit	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
Seiberling Rubber	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
U. S. Rubber Prod	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77
U. S. Tire/Dealers	... 8.22	... 8.22	... 8.22	... \$8.40	... \$9.23	... 9.23	... \$7.90	... \$7.03	... \$1.00	... \$1.49	... \$1.18	... 7.63 (Zones 1-5)	... 8.77

EXHIBIT A (P. 21)
SIZE: 6.00 BY 16 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 4/30/37	Opening of 1/26/37 for period 10/1/36 to 4/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	\$2.90	\$2.29
Sears, Roebuck & Co	...	...	...	...	\$6.97	\$6.20	\$4.75	\$2.47	\$2.90	\$2.29
The Cooper Corp	...	...	...	...	\$8.11	\$8.11	...	6.59	Column 11	Column 12
Dayton Rubber Mfg	\$7.22	7.22	7.22	7.22	8.11	8.11	...	7.59	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires pur- chased during period 4/1/37 to 9/30/37
Dunlop Tire	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	7.22	7.65	8.11	8.11	8.11	8.11	...	6.33	507	863
Firestone Tire	...	...	...	...	...	...	...	5.74	...	...
Fisk Rubber Corp	7.22	7.65	7.65	7.65	8.11	8.11	...	5.90	...	...
General Tire	7.22	7.65	8.11	8.11	8.11	8.11	...	7.55	Damages sustained on such purchases	Damages sustained on such purchases
B. F. Goodrich Co	7.22	7.65	8.11	8.11	8.11	8.11	...	5.72	...	...
Goodyear Tire	7.22	7.65	8.11	8.11	8.11	8.11	...	4.75	(507X\$2.47)	(863X\$2.90)
Hicks Rubber Co	7.22	7.65	8.11	8.11	8.11	8.11	...	7.69	\$1,252.29	\$2,502.70
Kelly-Springfield	7.22	7.65	8.11	8.11	8.11	8.11	...	8.25	...	...
Lee Tire & Rubber	7.22	7.65	8.11	8.11	8.11	8.11	...	6.53	...	...
Mohawk	...	...	...	...	8.11	8.11	...	6.95	...	...
Norwalk Tire	7.22	7.65	8.11	8.11	8.11	8.11	...	8.32	...	...
Pennsylvania	7.22	7.65	8.11	8.11	8.11	8.11	...	6.55	...	...
F. G. Schenuit	7.22	7.65	8.11	8.11	8.11	8.11	...	8.93	...	...
Seiberling Rubber	7.22	7.65	8.11	8.11	8.11	8.11	...	5.72	...	...
U. S. Rubber Prod	7.22	7.65	8.11	8.11	8.11	8.11	...	5.50	...	...
U. S. Tire Dealers	...	7.65	...	...	...	...	...	...	...	...

39

115

116

117

EXHIBIT A (P. 22)

SIZE: 6.00 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 9/30/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 for period 10/1/37 to 3/31/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 9/30/37 to 4/1/37 to 7,682
Sears, Roebuck & Co	\$8.51	\$8.51	\$8.51	\$8.51	\$7.56	\$6.85	\$1.73	\$2.24	\$1.66			
The Cooper Corp	....	....	....	....	....	....	7.61					
Dayton Rubber Mfg	\$8.58	....	....	\$9.64	\$9.64	....	9.09					
Dunlop Tire	8.58	....	....	9.64	9.64	....	....	7.38				
Falls Rubber Corp	....	....	....	9.64	9.64	....	....	6.90	6.531			
Firestone Tire	8.58	9.09	9.09	9.64	9.64	....	....	7.11				
Fisk Rubber Corp	....	....	....	9.64	9.64	....	....	8.92	Damages sustained			
General Tire	8.58	9.09	9.09	9.64	9.64	....	....	7.13	on such purchases			
3. F. Goodrich Co	8.58	9.09	9.09	9.64	9.64	....	....	6.85	(6,531X\$1.73)	(7,682X\$2.24)		
Goodyear Tire	8.58	9.09	9.09	9.64	9.64	....	....	8.68	\$11,298.63	\$17,267.68		
Hicks Rubber Co	....	....	....	....	....	....	....	....
Kelly-Springfield	8.58	9.09	9.09	9.64	9.64	....	....	9.77				
Lee Tire & Rubber	8.58	9.09	9.09	9.64	9.64	....	....	7.89				
Mohawk	....	....	....	9.64	9.64	....	....	8.85				
Norwalk Tire	....	....	....	9.64	9.64	....	....	9.86				
Pennsylvania	8.58	9.09	9.09	9.64	9.64	....	....	8.00				
F. G. Schemuit	8.58	....	....	....	....	....	....	10.57				
Seiberling Rubber	8.58	9.09	9.09	9.64	9.64	....	....	7.02				
U. S. Rubber Prod	8.58	....	....	9.64	9.64	....	....	7.10				
U. S. Tire Dealers	....	....	....	9.09	9.09	....	....	....	

EXHIBIT A (P. 23)

SIZE: 6.00 BY 17 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/37 award price
	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 10/1/36 to 3/31/37								
Sears, Roebuck & Co	...	...	...	...	\$8.18	\$8.18	...	\$7.41	\$6.90	\$5.68
The Cooper Corp	\$7.28	...	...	...	8.18	8.18	...	6.41	6.57	6.57
Dayton Rubber Mfg	7.28	...	...	...	8.18	8.18	...	7.66	7.66	7.66
Dunlop Tire	7.28	...	...	...	8.18	8.18	...	...	...	...
Falls Rubber Corp	7.28	...	...	...	8.18	8.18	...	6.04	14	14
Firestone Tire	7.28	\$7.72	8.18	8.18	8.18	8.18	...	5.94	20	20
Fisk Rubber Corp	7.28	7.72	8.18	8.18	8.18	8.18	...	5.98	...	...
General Tire	7.28	7.72	8.18	8.18	8.18	8.18	...	7.74	...	...
B. F. Goodrich Co.	7.28	7.72	8.18	8.18	8.18	8.18	...	7.57	...	...
Goodyear Tire	7.28	7.72	8.18	8.18	8.18	8.18	...	5.32	(14X\$1.60)	(20X\$2.04)
Hicks Rubber Co	7.28	...	...	...	...	...	...	...	\$22.40	\$40.80
Kelly Springfield	7.28	7.72	8.18	8.18	8.18	8.18	...	7.78	...	...
Lee Tire & Rubber	7.28	...	...	...	...	...	...	7.78	...	...
Mohawk	7.28	...	...	...	8.18	8.18	...	7.73	...	...
Norwalk Tire	7.28	7.72	8.18	8.18	8.18	8.18	...	8.55	...	...
Pennsylvania	7.28	...	...	...	8.18	8.18	...	6.97	...	...
F. G. Schenuit	7.28	...	...	...	8.18	8.18	...	...	...	...
Seiberling Rubber	7.28	7.72	8.18	8.18	8.18	8.18	...	5.68	...	...
U. S. Rubber Prod	7.28	...	...	...	8.18	8.18	...	6.16	...	...
U. S. Tire Dealers	7.28	...	...	...	...	...	...	...	...	...

41

121

122

123

EXHIBIT A (P. 24)

SIZE: 6.00 BY 17. (PASSENGER, 6-PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 7/21/37 for period 10/1/37 to 4/1/37 to 9/30/37	Column 3 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co. prices for period 4/1/37 to 9/30/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 10 Diffr. amo. between 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co	... \$8.60	... 8.60	... 8.60	... \$9.67	... 9.67	... 9.67	... \$8.62	... \$8.07	... \$1.60	... \$2.12	... \$1.62	... Column 11
The Cooper Corp	... \$8.60	... 8.60	... 8.60	... \$9.67	... 9.67	... 9.67	... \$8.62	... \$7.77	... 7.77	... \$2.12	... \$1.62	... Column 12
Dayton Rubber Mfg	... 8.60	... 8.60	... 8.60	... \$9.67	... 9.67	... 9.67	... \$8.62	... 9.11	... 9.11	... \$2.12	... \$1.62	... Column 10
Dunlop Tire	... 8.60	... 8.60	... 8.60	... \$9.67	... 9.67	... 9.67	... \$8.62	... 7.21	... 7.21	... \$2.12	... \$1.62	... Column 9
Falls Rubber Corp	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.25	... 7.25	... \$2.12	... \$1.62	... Column 8
Firestone Tire	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.25	... 7.25	... \$2.12	... \$1.62	... Column 7
Fisk Rubber Corp	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 8.03	... 8.03	... \$2.12	... \$1.62	... Column 6
General Tire	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 9.32	... 9.32	... \$2.12	... \$1.62	... Column 5
B. F. Goodrich Co	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 9.10	... 9.10	... \$2.12	... \$1.62	... Column 4
Goodyear Tire	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 9.66	... 9.66	... \$2.12	... \$1.62	... Column 3
Hicks Rubber Co	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 8.82	... 8.82	... \$2.12	... \$1.62	... Column 2
Kelly-Springfield	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 9.05	... 9.05	... \$2.12	... \$1.62	... Column 1
Lee Tire & Rubber	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 8.35	... 8.35	... \$2.12	... \$1.62	... Column 10
Mohawk	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 9.29	... 9.29	... \$2.12	... \$1.62	... Column 9
Norwalk Tire	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 10.27	... 10.27	... \$2.12	... \$1.62	... Column 8
Pennsylvania	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 8.10	... 8.10	... \$2.12	... \$1.62	... Column 7
F. G. Schenuit	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.00	... 7.00	... \$2.12	... \$1.62	... Column 6
Seiberling Rubber	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.86	... 7.86	... \$2.12	... \$1.62	... Column 5
U. S. Rubber Prod	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.86	... 7.86	... \$2.12	... \$1.62	... Column 4
U. S. Tire Dealers	... 8.60	... 8.60	... 8.60	... \$9.12	... 9.67	... 9.67	... \$8.62	... 7.86	... 7.86	... \$2.12	... \$1.62	... Column 3

EXHIBIT A (P. 25)

SIZE: 6.00 BY 18 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	7.47	7.47	8.40	8.40	\$7.74	\$7.34	\$6.28	\$1.19	\$1.64	\$1.46
The Cooper Corp	7.47	7.47	8.40	8.40	...	6.80	Column 11	Column 12	Column 13	Column 14
Dayton Rubber Mfg	7.47	7.47	8.40	8.40	...	7.80	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Dunlop Tire	7.47	7.47	8.40	8.40	...	6.30	2	23	23	23
Falls Rubber Corp	7.47	7.47	7.92	8.40	8.40	...	6.28	2	23	23
Firestone Tire	7.47	7.47	7.92	8.40	8.40	...	6.28	2	23	23
Fisk Rubber Corp	7.47	7.47	7.92	8.40	8.40	...	6.33	2	23	23
General Tire	7.47	7.47	7.92	8.40	8.40	...	7.95	2	23	23
B. F. Goodrich Co.	7.47	7.47	7.92	8.40	8.40	...	7.74	on such purchases	on such purchases	on such purchases
Goodyear Tire	7.47	7.47	7.92	8.40	8.40	...	5.58	(2X\$1.19)	(23X\$1.64)	(23X\$1.64)
Hicks Rubber Co	7.47	7.47	7.92	8.40	8.40	...	8.10	\$2.38	\$37.72	\$37.72
Kelly-Springfield	7.47	7.47	7.92	8.40	8.40	...	7.64	2	23	23
Lee Tire & Rubber	7.47	7.47	7.92	8.40	8.40	...	7.64	2	23	23
Mohawk	7.47	7.47	7.92	8.40	8.40	...	7.90	2	23	23
Norwalk Tire	7.47	7.47	7.92	8.40	8.40	...	7.90	2	23	23
Pennsylvania	7.47	7.47	7.92	8.40	8.40	...	9.38	2	23	23
F. G. Schenuit	7.47	7.47	7.92	8.40	8.40	...	9.38	2	23	23
Seiberling Rubber	7.47	7.47	7.92	8.40	8.40	...	6.29	2	23	23
U. S. Rubber Prod	7.47	7.47	7.92	8.40	8.40	...	7.43	2	23	23
U. S. Tire Dealers	7.47	7.47	7.92	8.40	8.40	...	7.43	2	23	23

43

127

128

129

EXHIBIT A (P. 26)

SIZE: 6.00 BY 18 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co.	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Award prices 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award prices	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award prices	Difference be- tween 4/1/37 to 9/30/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	... \$8.84	... 8.84	... 8.84	... \$9.93	... \$9.93	... \$9.93	... \$9.93	... \$8.95	... \$7.61	... \$1.76
The Cooper Corp	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.00	... 8.00	... \$1.69
Dayton Rubber Mfg	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.32	... Column 11	... Column 12
Dunlop Tire	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 7.54	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Falls Rubber Corp	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 7.61	... 368	... Number of tires purchased during period 10/1/36 to 3/31/37
Firestone Tire	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.51	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Fisk Rubber Corp	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.50	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
General Tire	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.28	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
B. F. Goodrich Co	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 10.39	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Goodyear Tire	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 10.39	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Hicks Rubber Co	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.01	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Kelly-Springfield	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.17	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Lee Tire & Rubber	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.89	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Mohawk	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 9.48	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Norwalk Tire	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 10.48	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Pennsylvania	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.74	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
F. G. Schenuit	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 10.57	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
Seiberling Rubber	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 7.67	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
U. S. Rubber Prod	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.91	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37
U. S. Tire Dealers	... \$8.84	... 8.84	... 8.84	... \$9.93	... 9.93	... 9.93	... 9.93	... 8.91	... 127	... Number of tires purchased during period 10/1/36 to 3/31/37

EXHIBIT A (F. 24)

SIZE: 6.00 BY 19 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/37 award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/37 award price	Number of tires purchased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	...	...	...	...	\$10.26	\$10.26	...	\$9.51	\$9.40	\$7.96	\$1.17	\$1.72
The Cooper Corp	\$9.13	...	10.26	10.26	...	...	...	8.50	8.50	...	...	\$1.55
Dayton Rubber Mfg	9.13	...	10.26	10.26	...	...	...	9.09	9.09	...	...	...
Dunlop Tire	9.13	...	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	9.13	...	10.26	10.26	...	...	...	8.02	8.02	...	...	...
Firestone Tire	9.13	\$9.68	10.26	10.26	...	...	...	7.96	7.96	...	...	...
Fisk Rubber Corp	9.13	9.68	10.26	10.26	...	...	...	8.70	8.70	...	...	...
General Tire	9.13	9.68	10.26	10.26	...	...	...	9.76	9.76	...	...	...
B. F. Goodrich Co	9.13	9.68	10.26	10.26	...	...	...	9.82	9.82	...	...	...
Goodyear Tire	9.13	9.68	10.26	10.26	...	...	...	11.56	11.56	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	52.65	52.65	...	...	...
Kelly-Springfield	9.13	9.68	10.26	10.26	...	...	...	9.30	9.30	...	...	...
Lee Tire & Rubber	9.13	9.68	10.26	10.26	...	...	...	9.42	9.42	...	...	...
Mohawk	...	...	10.26	10.26	...	...	...	9.24	9.24	...	...	...
Norwalk Tire	9.13	...	10.26	10.26	...	...	...	9.74	9.74	...	...	...
Pennsylvania	9.13	9.68	10.26	10.26	...	...	...	10.77	10.77	...	...	...
F. G. Schenuit	9.13	...	...	...	...	...	...	8.94	8.94	...	...	...
Seiberling Rubber	9.13	9.68	10.26	10.26	...	...	...	11.54	11.54	...	...	...
U. S. Rubber Prod	9.13	...	10.26	10.26	...	...	...	7.96	7.96	...	...	...
U. S. Tire Dealers	...	9.68	...	...	...	...	...	9.15	9.15	...	...	...

45

133

134

135

EXHIBIT A (P. 28)

SIZE: 6.00 BY 20 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/24/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/38 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price
	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires purchased 4/1/37 to 9/30/37								
Sears, Roebuck & Co					\$9.75	\$9.58	\$8.11	\$1.21	\$1.77	\$1.64
The Cooper Corp	\$9.32	....	\$10.47	\$10.47	....	....	8.89	....	....	....
Dayton Rubber Mfg	9.32	....	10.47	10.47	....	....	9.80	....	....	....
Dunlop Tire	9.32	....	....	....	....	....	....	....	....	....
Falls Rubber Corp.	9.32	....	....	....	....	....	....	....	....	....
Firestone Tire	9.32	\$9.88	10.47	10.47	....	....	....	....	....	....
Fisk Rubber Corp	9.32	9.88	10.47	10.47	....	....	8.11	....	....	....
General Tire	9.32	9.88	10.47	10.47	....	....	9.15	....	....	....
B. F. Goodrich Co	9.32	9.88	10.47	10.47	....	....	9.93	....	....	....
Goodyear Tire	9.32	9.88	10.47	10.47	....	....	10.27	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	....	11.75	(264X\$1.21)	\$319.44
Kelly-Springfield	9.32	9.88	10.47	10.47	....	....	....	....	....	....
Lee Tire & Rubber	9.32	9.88	10.47	10.47	....	....	....	....	....	....
Mohawk	....	....	10.47	10.47	....	....	....	....	....	....
Norwalk Tire	9.32	....	10.47	10.47	....	....	....	....	....	....
Pennsylvania	9.32	9.88	10.47	10.47	....	....	....	....	....	....
F. G. Schenuit	9.32	....	....	....	....	....	....	....	....	....
Seiberling Rubber	9.32	9.88	10.47	10.47	....	....	....	....	....	....
U. S. Rubber Prod	9.32	....	10.47	10.47	....	....	....	....	....	....
U. S. Tire Dealers	....	9.88	....	....	....	....	....	....	....	....

EXHIBIT A (P. 29)

SIZE: 6.00 BY 21 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 5/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 5/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$9.53	...	...	\$10.71	\$10.71	...	8.45	Column 11		
The Cooper Corp	9.53	...	11.00	11.00	...	10.00	Number of tires purchased during period 10/1/36 to 3/31/37			
Dayton Rubber Mfg.	9.53	...	...	...	...	...
Dunlop Tire	9.53	...	...	...	...	...
Falls Rubber Corp	9.53	...	...	...	...	...
Firestone Tire	9.53	\$10.10	10.71	10.71	...	8.70	14			
Fisk Rubber Corp	9.53	10.10	...	...	...	...
General Tire	9.53	10.10	10.71	10.71	...	10.12	Damages sustained on such purchases			
B. F. Goodrich Co	9.53	10.10	10.71	10.71	...	10.46	(14X\$1.03)	(7X\$1.60)		
Goodyear Tire	9.53	10.10	10.71	10.71	...	11.97	\$14.42	\$11.20		
Hicks Rubber Co	...	...	...	...	...	...
Kelly-Springfield	9.53	10.10	10.71	10.71	...	9.80				
Lee Tire & Rubber	9.53	10.10	10.71	10.71	...	9.94				
Mohawk	...	...	10.71	10.71	...	9.99				
Norwalk Tire	9.53	...	10.71	10.71	...	10.10				
Pennsylvania	9.53	10.10	10.71	10.71	...	11.16				
F. G. Schemnit	9.53	...	...	...	...	9.49				
Seiberling Rubber	9.53	10.10	10.71	10.71	...	11.95				
U. S. Rubber Prod	9.53	...	10.71	10.71	...	8.50				
U. S. Tire Dealers	...	10.10	...	...	...	...

47

139

140

141

42

43

44

EXHIBIT A (P. 30)

SIZE: 6.25 BY 16 (PASSENGER, 4 PLY)

48

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 7/21/37 for period 4/1/37 to 9/30/37	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Star/Roe Luck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Sear, Roebuck & Co	...	...	...	...	...	...	...	...	...	...	...	...
The Cooper Corp	...	...	...	...	...	...	...	...	...	...	...	...
Dayton Rubber Mfg	\$8.11	...	\$9.12	\$9.12	...	...	...	...	...	...	...	...
Dunlop Tire	8.11	...	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	...	...	9.12	9.12	...	...	...	...	...	...	...	...
Firestone Tire	8.11	\$8.60	9.12	9.12	...	...	...	...	...	...	...	...
Fisk Rubber Corp	...	...	...	...	...	...	...	...	...	...	...	...
General Tire	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
B. F. Goodrich Co	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
Goodyear Tire	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...	...	...
Kelly-Springfield	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
Lee Tire & Rubber	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
Mohawk	...	...	9.12	9.12	...	...	...	...	...	...	...	...
Norwalk Tire	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
Pennsylvania	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	8.11	8.60	9.12	9.12	...	...	...	...	...	...	...	...
U. S. Rubber Prod	8.11	...	9.12	9.12	...	...	...	...	...	...	...	...
U. S. Tire Dealers	...	8.60	...	...	...	...	...	...	...	...	...	...

\$2.48

\$1.48

EXHIBIT A (P. 31)

SIZE: 6.25 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38 award prices	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires purchased 9/30/37 period
Sears, Roebuck & Co.	...	...	...	...	\$9.13	\$8.15	\$7.36	\$2.23	\$2.81	\$1.77	...	...
The Cooper Corp	\$9.59	...	\$10.78	\$10.78	...	...	10.18	...	...	...	...	...
Dayton Rubber Mfg	9.59	...	10.78	10.78	...	...	...	...	...	...	...	...
Dunlop Tire	9.59	...	10.78	10.78	...	...	...	...	...	...	...	...
Falls Rubber Corp	9.59	\$10.17	10.78	10.78	...	...	...	...	...	...	...	...
Firestone Tire	9.59	10.17	10.78	10.78	...	...	...	...	...	...	...	...
Fisk Rubber Corp	9.59	10.17	10.78	10.78	...	...	7.57	...	...	...	...	...
General Tire	9.59	10.17	10.78	10.78	...	...	9.96	...	...	...	...	...
B. F. Goodrich Co	9.59	10.17	10.78	10.78	...	...	8.28	...	...	...	...	...
Goodyear Tire	9.59	10.17	10.78	10.78	...	...	8.07	...	...	...	...	...
Hicks Rubber Co	9.59	10.17	10.78	10.78	...	...	9.05	...	...	...	...	...
Kelly Springfield	9.59	10.17	10.78	10.78	...	...	...	...	...	...	...	...
Lee Tire & Rubber	9.59	10.17	10.78	10.78	...	...	9.89	...	...	...	...	...
Mohawk	9.59	...	10.78	10.78	...	...	...	...	...	...	...	...
Norwalk Tire	9.59	...	10.78	10.78	...	...	...	...	...	...	...	...
Pennsylvania	9.59	10.17	10.78	10.78	...	...	...	...	...	...	...	...
F. G. Schenuit	9.59	10.17	10.78	10.78	...	...	...	...	...	...	...	...
Seiberling Rubber	9.59	...	10.78	10.78	...	...	7.36	...	...	...	...	...
U. S. Rubber Prod	9.59	...	10.78	10.78	...	...	8.15	...	...	...	...	...
U. S. Tire Dealers	...	10.17	...	...	...	...	...	...	...	...	...	...

49

145

146

147

EXHIBIT A (P. 32)

SIZE: 6.50 BY 16 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/27/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	\$3.11	\$1.94	50	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co.	...	...	...	...	...	...	...	\$7.62	\$6.44	\$2.57	...	...
The Cooper Corp	...	...	...	\$10.12	\$10.12	...	...	7.42	9.53	...	...	...
Dayton Rubber Mfg	\$9.01	...	...	...	...	...	...	...	...	...	...	...
Dunlop Tire	9.01	...	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	...	...	10.12	10.12	...	...	7.42	...	...	...	...	...
Firestone Tire	9.01	\$9.55	10.12	10.12	...	...	6.44	43	...	...	...	...
Fisk Rubber Corp	...	...	...	...	...	...	...	...	...	...	...	...
General Tire	9.01	9.55	10.12	10.12	...	...	6.68	...	...	...	...	...
B. F. Goodrich Co	9.01	9.55	10.12	10.12	...	...	9.35	...	...	...	...	...
Goodyear Tire	9.01	9.55	10.12	10.12	...	...	7.76	...	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	6.67	(43X\$2.57)	...	...	...	...
Kelly-Springfield	9.01	9.55	10.12	10.12	...	...	8.56	\$110.51	...	...	...	...
Lee Tire & Rubber	9.01	9.55	10.12	10.12	...	...	7.27	...	...	...	...	...
Mohawk	...	...	10.12	10.12	...	...	9.26	...	...	...	...	...
Norwalk Tire	9.01	9.55	10.12	10.12	...	...	10.29	...	...	...	...	...
Pennsylvania	9.01	9.55	10.12	10.12	...	...	7.88	...	...	...	...	...
F. G. Schenuit	9.01	...	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	9.01	9.55	10.12	10.12	...	...	11.06	...	...	...	...	...
U. S. Rubber Prod	9.01	...	10.12	10.12	...	...	6.38	...	...	...	...	...
U. S. Tire Dealers	...	9.55	...	...	...	...	6.90	...	...	...	...	...

EXHIBIT A (P. 33)

SIZE: 6.50 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 to 3/31/38 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37								
Sears, Roebuck & Co.	...	...	...	...	\$9.48	\$8.44	\$7.64	\$2.26	\$2.85	\$1.84
The Cooper Corp	...	...	...	...	...	...	8.60	Column 11	Column 12	
Dayton Rnuber Mfg	\$9.90	...	\$11.12	\$11.12	...	...	10.51	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
Dunlop Tire	9.90	...	...	...	...	...	...	...	...
Falls Rubber Corp	...	...	11.12	11.12	...	...	8.60	685	909	
Firestone Tire	9.90	\$10.49	11.12	11.12	...	...	7.64			
Fisk Rubber Corp	...	...	...	...	...	...	8.74	8.74	8.74	
General Tire	9.90	10.49	11.12	11.12	...	...	10.28	Damages sustained on such purchases	Damages sustained on such purchases	
B. F. Goodrich Co	9.90	10.49	11.12	11.12	...	...	8.48	(685X\$2.26)	(909X\$2.85)	
Goodyear Tire	9.90	10.49	11.12	11.12	...	...	8.45	\$1.548.10	\$2,590.65	
Hicks Rubber Co	...	...	...	...	...	...	9.83			
Kelly-Springfield	9.90	10.49	11.12	11.12	...	...	11.20			
Lee Tire & Rubber	9.90	10.49	11.12	11.12	...	...	8.76			
Mohawk	...	...	11.12	11.12	...	...	10.22			
Norwalk Tire	9.90	10.49	11.12	11.12	...	...	11.33			
Pennsylvania	9.90	10.49	11.12	11.12	...	...	8.91			
F. G. Schenuit	9.90	...	...	...	...	...	12.16			
Seiberling Rubber	9.90	10.49	11.12	11.12	...	...	7.73			
U. S. Rubber Prod	9.90	...	11.12	11.12	...	...	8.10			
U. S. Tire Dealers	...	10.49	...	...	...	...	...	...	...

51

151

152

153

154

EXHIBIT A (P. 34)

SIZE: 6.50 BY 17^o (PASSENGER, 6 PLY)

156

52

EXHIBIT A (P. 35)

SIZE: 6.50 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/36 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 4/1/38 to 9/30/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co					\$11.82	\$11.82			\$8.92	\$1.71
The Cooper Corp	\$10.52	...			\$11.82	\$11.82	...	9.61	\$2.23	
Dayton Rubber Mfg	10.52	...	11.82	11.82	...	...	11.16			
Dunlop Tire	10.52	...	11.82	11.82	...	...	9.03			
Falls Rubber Corp	10.52	...	11.82	11.82	...	...	9.57			
Firestone Tire	10.52	\$11.15	11.82	11.82	...	...	9.70			
Fisk Rubber Corp	10.52	11.15	11.82	11.82	...	...	11.54			
General Tire	10.52	11.15	11.82	11.82	...	...	11.93			
B. F. Goodrich Co	10.52	11.15	11.82	11.82	...	...	(34X\$1.60)			
Goodyear Tire	10.52	11.15	11.82	11.82	...	...	13.65			
Hicks Rubber Co	...	...	...	...	...	...	10.93			
Kelly-Springfield	10.52	11.15	11.82	11.82	...	...	11.18			
Lee Tire & Rubber	10.52	11.15	11.82	11.82	...	...	10.35			
Mohawk	...	...	11.82	11.82	...	...	11.49			
Norwalk Tire	10.52	...	11.82	11.82	...	...	12.72			
Pennsylvania	10.52	11.15	11.82	11.82	...	...	9.99			
F. G. Schemuit	10.52	...	11.82	11.82	...	...	13.64			
Seiberling Rubber	10.52	11.15	11.82	11.82	...	...	8.92			
U. S. Rubber Prod	10.52	...	11.82	11.82	...	...	10.80			
U. S. Tire Dealers	...	11.15	...	...	...	...	...	...	...

33

Number of tires purchased
during period
4/1/36 to 3/31/3734
Number of tires pur-
chased during period
4/1/36 to 3/31/37

(34X\$2.23)

34

(34X\$1.60)

\$54.40

\$75.82

157

158

159

160

EXHIBIT A (P. 36)

SIZE: 6.50 BY 20 (PASSENGER, 6 PLY)

161

162

EXHIBIT A (P. 37)
SIZE: 7.00 BY 15 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/38 for period 10/1/36 to 3/31/37	Opening of 1/25/38 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Award prices 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38 for period 10/1/37 to 3/31/38	Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	...	\$9.08	\$8.07	\$7.12	\$2.33	\$2.90
The Cooper Corp	...	...	...	...	...	...	...	9.20	...	\$1.96
Dayton Rubber Mfg	\$9.45	...	...	\$10.62	\$10.62	...	...	10.05	...	Column 11
Dunlop Tire	...	...	...	...	...	...	...	...	...	Column 12
Falls Rubber Corp	...	...	...	...	...	...	...	...	...	55
Firestone Tire	9.45	\$10.02	10.62	10.62	...	...	...	9.20	...	Number of tires purchased during period 10/1/36 to 3/31/37
Fisk Rubber Corp	...	...	...	...	...	...	...	...	...	13
General Tire	9.45	...	...	...	...	...	...	...	...	Number of tires pur- chased during period 10/1/36 to 3/31/37
B. F. Goodrich Co	9.45	10.02	10.62	10.62	...	...	...	8.63	...	(13X\$2.90)
Goodyear Tire	9.45	10.02	10.62	10.62	...	...	...	11.47	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...
Kelly-Springfield	9.45	10.02	10.62	10.62	...	...	...	9.98	...	...
Lee Tire & Rubber	9.45	10.02	10.62	10.62	...	...	...	10.54	...	...
Mohawk	...	...	...	...	...	...	...	...	...	...
Norwalk Tire	9.45	...	...	10.62	10.62	...	...	9.77	...	...
Pennsylvania	9.45	10.02	10.62	10.62	...	...	...	8.45	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	9.45	10.02	10.62	10.62	...	...	...	7.12	...	...
U. S. Rubber Prod	9.45	...	...	10.62	10.62	...	...	8.16	...	...
U. S. Tire Dealers	...	...	...	...	...	...	...	...	...	...

55

163

164

165

166

EXHIBIT A (P. 38)

SIZE: 7.00 BY 15 (PASSENGER. 6 PLY)

168'

56

EXHIBIT A (P. 39)
SIZE: 7.00 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 to 3/31/38 price award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/36 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$9.43	\$8.12	\$7.28	\$2.46	\$3.04	\$2.15
The Cooper Corp	....	....	....	....	....	7.95	....	....	....	....
Dayton Rubber Mfg	\$9.74	....	\$10.94	\$10.94	....	....	10.38	....	....	....
Dunlop Tire	9.74	....	10.94	10.94	....	....	....	....	....	....
Falls Rubber Corp	....	....	10.94	10.94	....	....	8.46	....	....	....
Firestone Tire	9.74	\$10.32	10.94	10.94	....	....	8.41	....	....	....
Fisk Rubber Corp	....	....	....	....	....	....	7.73	....	....	....
General Tire	9.74	10.32	10.94	10.94	....	....	....	10.09	....	....
B. F. Goodrich Co	9.74	10.32	10.94	10.94	....	....	....	8.98	....	....
Goodyear Tire	9.74	10.32	10.94	10.94	....	....	....	8.78	(1X\$2.46)	\$2.46
Hicks Rubber Co.	....	....	....	....	....	....	....	10.51	....	....
Kelly-Springfield	9.74	10.32	10.94	10.94	....	....	....	....	11.08	....
Lee Tire & Rubber	9.74	10.32	10.94	10.94	....	....	....	....	8.81	....
Mohawk	....	....	10.94	10.94	....	....	....	....	10.05	....
Norwalk Tire	9.74	....	10.94	10.94	....	....	....	....	11.13	....
Pennsylvania	9.74	10.32	10.94	10.94	....	....	....	....	8.86	....
F. G. Schenuit	....	....	....	....	....	....	....	....	1.00	....
Seiberling Rubber	9.74	10.32	10.94	10.94	....	....	....	....	7.28	....
U. S. Rubber Prod	9.74	....	10.94	10.94	....	....	....	....	8.84	....
U. S. Tire Dealers	....	10.32	....	....	....	....	....	....	....	....

57

Number of tires purchased
during period
10/1/36 to 3/31/37Number of tires pur-
chased during period
9/30/37 to
9/30/38

73

1

169

170

171

172

173

174

EXHIBIT A (P. 40)

SIZE: 7.00 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 8/31/37	Column 2 Opening of 1/25/37 for period 10/1/36 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 4/1/38 to 10/1/37 to 9/30/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 10/1/37 to 3/31/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 9/30/38 award price and 4/1/38 to 9/30/38 highest award price
	Column 11 Number of tires purchased 10/1/36 to 3/31/37							Column 12 Number of tires purchased during period 4/1/37 to 9/30/37		
Sears, Roebuck & Co.	.....	.....	.....	.....	\$10.98	\$10.05	\$8.66	\$2.79	\$3.48	\$2.32
The Cooper Corp	.....	.....	.....	.....	.....	9.15	.....	.....	.....	.....
Dayton Rubber Mfg	\$11.45	.....	.....	\$12.87	\$12.87	.....	12.27	.....	.....	.....
Dunlop Tire	11.45	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	12.87	12.87	.....	9.76	.....	.....	.....	.....
Firestone Tire	11.45	\$12.14	12.87	12.87	.....	9.62	.....	.....	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	10.07	.....	.....	.....
General Tire	11.45	12.14	12.87	12.87	.....	.....	11.86	.....	.....	.....
B. F. Goodrich Co	11.45	12.14	12.87	12.87	.....	.....	10.56	.....	.....	.....
Goodyear Tire	11.45	12.14	12.87	12.87	.....	.....	10.24	(198X\$2.79)	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	11.88	.....	.....	.....
Kelly-Springfield	11.45	12.14	12.87	12.87	.....	.....	.....	.....	.....	.....
Mohawk	11.45	12.14	12.87	12.87	.....	.....	12.89	.....	.....	.....
Norwalk Tire	11.45	12.14	12.87	12.87	.....	.....	10.17	.....	.....	.....
Pennsylvania	11.45	12.14	12.87	12.87	.....	.....	11.83	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	13.09	.....	.....	14.04
Seiberling Rubber	11.45	12.14	12.87	12.87	.....	.....	8.66	.....	.....	.....
U. S. Rubber Prod	11.45	12.14	12.87	12.87	.....	.....	10.37	.....	.....	.....
U. S. Tire Dealers	.....	12.14	.....	.....	.....	.....	.....	.....	.....	.....

58

EXHIBIT A (P. 41)

SIZE: 7.00 BY 17 (PASSENGER, 6 FLY) (W)

Company	Column 1 Opening 9/8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co. price of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.					\$11.43	\$10.31	\$8.56	\$1.69	\$2.38	\$1.57
The Cooper Corp						9.73 (Zone 3)				
Dayton Rubber Mfg	\$11.55			\$12.97	\$12.97	12.39	9.86			
Dunlop Tire	11.55					(All others)				
Falls' Rubber Corp				12.97	12.97		8.56			
Firestone Tire	11.55	\$12.24	12.97	12.97			10.61			
Fisk Rubber Corp	11.55	12.24	12.97	12.97			10.07			
General Tire	11.55	12.24	12.97	12.97			12.01			
B. F. Goodrich Co	11.55	12.24	12.97	12.97			11.35			
Goodyear Tire	11.55	12.24	12.97	12.97			13.25			
Hicks Rubber Co								11.80		
Kelly-Springfield	11.55	12.24	12.97	12.97			11.58			
Lee Tire & Rubber	11.55	12.24	12.97	12.97			11.29	(4X\$1.69)		
Mohawk							11.97			
Norwalk Tire	11.55			12.97	12.97		13.21			
Pennsylvania	11.55	12.24	12.97	12.97			10.74			
F. G. Schenuit	11.55								14.15	
Seiberling Rubber	11.55	12.24	12.97	12.97					9.86	
U. S. Rubber Prod	11.55								10.00	
U. S. Tire Dealers				12.24						

59

Column 12

Number of tires purchased
during period
4/1/37 to
9/30/37

10

Column 11

Number of tires pur-
chased during period
10/1/36 to 3/31/37

4

10

4

10

4

10

10

10

10

10

10

177

176

175

EXHIBIT A (P. 42)

SIZE: 7.00 BY 18 (PASSENGER, 6 PLY)

EXHIBIT A (P. 43)

SIZE: 7.00 BY 20 (PASSENGER, 6 PLY)

61

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/20/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Award prices 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co										
The Cooper Corp	\$12.58	...	\$14.13	\$14.13	...	...	...	\$11.08	\$2.10	\$1.46
Dayton Rubber Mfg	12.58	...	14.39	14.39	...	...	13.47	11.23		
Dunlop Tire	12.58	...	14.13	14.13	...	...	...	11.09 (Zones 1-5)		
Falls Rubber Corp	12.58	\$13.33	14.13	14.13	...	...	12.06			
Firestone Tire	12.58	13.33	14.13	14.13	...	...	11.98			
Fisk Rubber Corp	12.58	13.33	14.13	14.13	...	...	13.09			
General Tire	12.58	13.33	14.13	14.13	...	...	13.54	17	37	
B. F. Goodrich Co	12.58	13.33	14.13	14.13	...	...	15.49			
Goodyear Tire	12.58	13.33	14.13	14.13	...	...	13.52			
Hicks Rubber Co	12.58	13.33	14.13	14.13	...	...	12.34			
Kelly-Springfield	12.58	13.33	14.13	14.13	...	...	12.95			
Lee Tire & Rubber	12.58	13.33	14.13	14.13	...	...	13.07			
Mohawk	12.58	13.33	14.13	14.13	...	...	14.43			
Norwalk Tire	12.58	13.33	14.13	14.13	...	...	11.93			
Pennsylvania	12.58	13.33	14.13	14.13	...	...	15.46			
F. G. Schenuit	12.58	13.33	14.13	14.13	...	...	11.23			
Seiberling Rubber	12.58	13.33	14.13	14.13	...	...	12.30			
U. S. Rubber Prod	12.58	13.33	14.13	14.13	...	...		
U. S. Tire Dealers	13.33	...	...	...	...	...

181

182

183

184

185

186

EXHIBIT A (P. 44)

SIZE: 7.50 BY 15 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	Column 13 Damages sustained on such purchases (22X\$2.08)	Column 14 Damages sustained on such purchases (27X\$1.39)	Column 15 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	11.45	11.45	11.45	11.45	10.55	10.32	9.20	2.08	0.49	2.08	22	22	22	22	22
The Cooper Corp	\$11.45	...	...	...	...	...	9.20 (Zone 5)	...	...	...	...	...	...	...	...
Dayton Rubber Mfg	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
Dunlop Tire	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
Falls Rubber Corp	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
Firestone Tire	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
Fisk Rubber Corp	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
General Tire	11.45	11.45	11.45	11.45	12.87	12.87	10.06	10.06	10.06	10.06	...	...	...	...	...
B. F. Goodrich Co	11.45	11.45	11.45	11.45	12.87	12.87	11.39	11.39	11.39	11.39	...	...	...	...	...
Goodyear Tire	11.45	11.45	11.45	11.45	12.87	12.87	13.80	13.80	13.80	13.80	...	...	...	...	...
Hicks Rubber Co	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Kelly Springfield	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Lee Tire & Rubber	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Mohawk	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Norwalk Tire	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Pennsylvania	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
F. G. Schenuit	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
Seiberling Rubber	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
U. S. Rubber Prod	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...
U. S. Tire Dealers	11.45	11.45	11.45	11.45	12.87	12.87	12.87	12.87	12.87	12.87	...	...	...	...	...

EXHIBIT A (P, 45)

SIZE: 7.50 BY 16 (PASSENGER, 4 PLY)

63

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Award price 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 award price and 4/1/38 award price	Column 10 Difference be- tween 10/1/37 award price and 4/1/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 10/1/37 to 9/30/37
Sears, Roebuck & Co					\$12.90	\$10.63	\$9.12	\$3.13	\$3.88	\$3.56		
The Cooper Corp	\$12.47			\$14.01	\$14.01				8.75 (Zones 1, 2, & 4)			
Dayton Rubber Mfg									13.38	9.34		
Dunlop Tire	12.47			14.01	14.01							
Falls Rubber Corp	12.47	\$13.22		14.01	14.01				9.34 (Zone 3)			
Firestone Tire	12.47	13.22		14.01	14.01				10.49	8.75		
Fisk Rubber Corp	12.47	13.22		14.01	14.01				9.12 (Zone 5)			
General Tire									9.14			
B. F. Goodrich Co	12.47	13.22		14.01	14.01				12.04 (All others)			
Goodyear Tire	12.47	13.22		14.01	14.01				15.03			
Hicks Rubber Co									13.84			
Kelly-Springfield	12.47	13.22		14.01	14.01							
Lee Tire & Rubber									12.76			
Mohawk												
Norwalk Tire	12.47			14.01	14.01							
Pennsylvania												
F. G. Schenuit	12.47	13.22		14.01	14.01				13.55			
Seiberling Rubber	12.47	13.22		14.01	14.01				9.14	(2X\$3.13)		
U. S. Rubber Prod	12.47			14.01	14.01				10.66	\$6.26		
U. S. Tire Dealers				13.22								

187

188

189

190

EXHIBIT A (P. 46)

SIZE: 7.50 BY 16 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 9/30/37	Opening of 1/26/37 for period 10/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 9/30/38	Sears, Roebuck & Co.	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	\$3.51	\$4.42	$2.11
The Cooper Corp	\$15.15	....	....	\$17.02	\$17.02	....	....	10.05 (Zones 1, 2, and 4)		
Dayton Rubber Mfg.	15.15	....	17.02	17.02	....	....	16.29			
Dunlop Tire	15.15	....	....	....	....	....	....	10.73		
Falls Rubber Corp	15.15	....	17.02	17.02	....	....	....	10.73 (Zone 3)		
Firestone Tire	15.15	\$16.06	17.02	17.02	....	....	11.27	10.05		
Fisk Rubber Corp	15.15	16.06	17.02	17.02	....	....	11.64	(Zone 5)		
General Tire	15.15	16.06	17.02	17.02	....	....	15.59	11.45		
B. F. Goodrich Co	15.15	16.06	17.02	17.02	....	....	14.16 (All others)			
Goodyear Tire	15.15	16.06	17.02	17.02	....	....	18.23	Column 11		
Hicks Rubber Co.	....	....	....	....	....	....	12.97	Number of tires pur- chased during period 10/1/36 to 3/31/37		
Kelly-Springfield	15.15	16.06	17.02	17.02	....	....	16.73			
Lee Tire & Rubber	15.15	16.06	17.02	17.02	....	....	12.48			
Mohawk	....	....	17.02	17.02	....	....	15.47			
Norwalk Tire	15.15	....	17.02	17.02	....	....	17.16			
Pennsylvania	15.15	16.06	17.02	17.02	....	....	12.93	Damages sustained on such purchases		
F. G. Schemuit	15.15	16.06	17.02	17.02	....	....	15.85	(18X\$3.51)		
Seiberling Rubber	15.15	16.06	17.02	17.02	....	....	11.45			
U. S. Rubber Prod	15.15	....	17.02	17.02	....	....	12.92	\$84.24		
U. S. Tire Dealers	....	16.06	....	....	....	....	....

191

192

EXHIBIT A (P. 47)

SIZE: 7.50 BY 17 (PASSENGER, 6 PLY).

65

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 5 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 6 Opening of 12/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	....	\$14.75	\$13.02	\$11.64	\$4.53	\$1.67
The Cooper Corp	....	....	....	....	....	....	....	9.73 (Zones 1-4)	....	....
Dayton Rubber Mfg	\$17.61	....	\$19.79	\$19.79	....	....	....	19.06	9.73	....
Dunlop Tire	17.61	....	....	....	....	....	....	....	(Zone 5)	....
Falls Rubber Corp	....	....	....	....	....	....	....	12.89	(Zone 9)	....
Firestone Tire	17.61	\$18.67	19.79	19.79	....	....	....	11.64	12.89	....
Fisk Rubber Corp	17.61	18.67	19.79	19.79	....	....	....	18.12 (All others)	....	....
General Tire	* 17.61	18.67	19.79	19.79	....	....	....	....	....	....
B. F. Goodrich Co	17.61	18.67	19.79	19.79	....	....	16.43	....	....	....
Goodyear Tire	17.61	18.67	19.79	19.79	....	....	21.16	Number of tires pur- chased during period 10/1/36 to 3/31/37	....	....
Hicks Rubber Co	....	....	....	....	....	....	13.08	....	....	....
Kelly-Springfield	17.61	18.67	19.79	19.79	....	....	19.51	....	....	....
Lee Tire & Rubber	17.61	18.67	19.79	19.79	....	....	13.26	....	6	....
Mohawk	....	....	19.79	19.79	....	....	17.93	....	....	....
Norwalk Tire	17.61	....	19.79	19.79	....	....	19.91	Damages sustained on such purchases	....	....
Pennsylvania	17.61	18.67	19.79	19.79	....	....	13.87	(6X\$4.53)	(6X\$5.59)	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	\$33.54
Seiberling Rubber	....	....	....	....	....	....	....	....	....	....
U. S. Rubber Prod	17.61	....	19.79	19.79	....	....	....	....	....	....
U. S. Tire Dealers	....	18.67	....	....	....	....	....	....	....	....

193

194

195

198

EXHIBIT A (P. 48)

SIZE: 7.50 BY 18 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	
	Opening of 8/17/36 for period 10/1/36 to 8/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. period for 9/20/37 to 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 award price	Number of tires purchased 10/1/36 to 3/31/37	Damages sustained on such purchases	
Sears, Roebuck & Co	...	...	...	...	...	\$16.34	\$13.14	\$11.96	\$4.79	\$5.87	\$3.26	10	66
The Cooper Corp	...	...	...	...	...	...	...	...	10.07 (Zones 1-4)	...	...	10.07	197
Dayton Rubber Mfg	...	...	...	...	...	...	...	...	...	...	...	(Zone 5)	196
Dunlop Tire	...	...	...	...	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	...	...	...	...	\$20.15	\$20.15	...	...	12.87	13.14	...	...	...
Firestone Tire	\$17.93	\$19.01	20.15	20.15	...	...	...	...	13.23 (All others)	...	...	...	...
Fisk Rubber Co 'p	17.93	19.01	20.15	20.15	...	...	...	...	11.96	...	...	...	...
General Tire	17.93	19.01	20.15	20.15	...	...	...	...	18.30	...	...	...	...
B. F. Goodrich Co	17.93	19.01	20.15	20.15	...	...	...	...	...	...	...	...	...
Goodyear Tire	17.93	19.01	20.15	20.15	...	...	...	...	21.57	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...	...	...	...
Kelly-Springfield	17.93	19.01	20.15	20.15	...	...	...	...	...	...	...	...	...
Lee Tire & Rubber	17.93	19.01	20.15	20.15	...	...	...	...	...	...	...	...	...
Mohawk	...	...	...	...	20.15	20.15	...	...	...	...	...	...	...
Norwalk Tire	17.93	...	...	...	20.15	20.15	...	...	...	...	...	...	...
Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	...	...	...	...	...	...	...	...	...	...	...	...	...
U. S. Rubber Prod	17.93	...	...	...	20.15	20.15	...	...	...	...	...	...	...
U. S. Tire Dealers	19.01	...	...	...	...	...	...	...	...	...	...	...	...

(10X\$5.87)
\$58.70

EXHIBIT A (P. 49)

SIZE: 7.50 BY 19 (PASSENGER, 6 PLY)

67

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/23/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	\$16.96	\$13.63	\$13.40	\$4.95	\$6.06	\$3.33
The Cooper Corp	...	...	...	...	...	10.67	(Zone 3)	...	...	...
Dayton Rubber Mfg	...	...	...	...	...	...	10.67	...	...	...
Dunlop Tire	...	...	...	...	\$20.87	\$20.87	...	...	...	(Zone 6)
Falls Rubber Corp	\$18.58	\$19.69	20.87	20.87	...	...	13.40	13.63	...	...
Firestone Tire	...	...	...	...	...	...	...	14.45 (All others)	...	...
Fisk Rubber Corp	18.58	19.69	20.87	20.87	...	...	...	...	...	...
General Tire	18.58	19.69	20.87	20.87	...	...	...	...	...	...
B. F. Goodrich Co	18.58	19.69	20.87	20.87	...	...	22.34	...	...	...
Goodyear Tire	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Hicks Rubber Co	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Kelly-Springfield	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Lee Tire & Rubber	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Mohawk	18.58	19.69	20.87	20.87	...	...	20.82	...	...	...
Norwalk Tire	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Pennsylvania	18.58	19.69	20.87	20.87	...	...	...	...	...	...
F. G. Schenuit	18.58	19.69	20.87	20.87	...	...	...	...	...	...
Seiberling Rubber	18.58	19.69	20.87	20.87	...	...	...	...	...	...
U. S. Rubber Prod	18.58	19.69	20.87	20.87	...	...	...	...	...	...
U. S. Tire Dealers	18.58	19.69	20.87	20.87	...	...	...	...	...	...

199

200

201

Column 12

Number of tires purchased
during period
10/1/36 to 3/31/37

8

Column 11

Number of tires pur-
chased during period
10/1/36 to 3/31/37

8

Damages sustained
on such purchases

(8:\$4.95)

\$39.60

Damages sustained
on such purchases

17.60

17.60

202

203

204

EXHIBIT A (P. 50)

SIZE: 30 BY 5 (TRUCK, 8 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- back & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	\$12.58	...	...	\$14.13	\$14.13	...	...	\$13.20	\$12.50	\$1.28
The Cooper Corp	\$12.58	...	...	14.13	14.13	...	...	12.81 (Zones 1-5)	12.50	\$2.03
Dayton Rubber Mfg	12.58	...	14.13	14.13	...	...	...	11.30	11.30	\$1.90
Dunlop Tire	12.58	...	...	...	...	...	...	...	(All others)	...
Falls Rubber Corp	12.58	...	14.13	14.13	...	...	...	13.37	13.37	...
Firestone Tire	12.58	\$13.33	14.13	14.13	...	...	...	11.30	11.30	...
Fisk Rubber Corp	12.58	13.33	14.13	14.13	...	...	...	10.67	10.67	...
General Tire	12.58	13.33	14.13	14.13	...	...	...	13.20	13.20	...
B. F. Goodrich Co	12.58	13.33	14.13	14.13	...	...	...	5.513	5.513	4,925
Goodyear Tire	12.58	13.33	14.13	14.13	...	...	...	11.93	11.93	...
Hicks Rubber Co	...	...	...	...	...	...	...	12.38	12.38	...
Kelly-Springfield	12.58	13.33	14.13	14.13	...	...	...	14.89	14.89	...
Lee Tire & Rubber	12.58	13.33	14.13	14.13	...	...	...	14.37	14.37	...
Mohawk	...	...	14.13	14.13	...	...	...	14.02	14.02	...
Norwalk Tire	12.58	...	14.13	14.13	...	...	...	13.24	13.24	...
Pennsylvania	12.58	13.33	14.13	14.13	...	...	...	14.63	14.63	...
F. G. Schenuit	12.58	...	...	...	...	...	...	12.41	12.41	...
Seiberling Rubber	12.58	13.33	14.13	14.13	...	...	...	15.84	15.84	...
U. S. Rubber Prod	12.58	...	14.13	14.13	...	...	...	11.31	11.31	...
U. S. Tire Dealers	...	13.33	...	...	...	...	...	12.08	12.08	...

68

EXHIBIT A (P. 51)

SIZE: 32 BY 6, 5-INCH RIM (TRUCK, 8 PLY)

69

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	\$12.47	\$3.02	\$3.06
Sears, Roebuck & Co.	... \$16.34	... 16.34	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.57	\$12.47	\$3.02	\$3.06
The Cooper Corp.	... \$16.34	... 16.34	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.57	... \$13.32	... \$16.84 (Zones 1-5)	... 16.84 (Zones 1-5)
Davton Rubber Mfg	... 16.34	... 16.34	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.57	... \$13.32	... 16.84 (Zones 1-5)	... 16.84 (Zones 1-5)
Dunlop Tire	... 16.34	... 16.34	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.57	... \$13.32	... 16.84 (Zones 1-5)	... 16.84 (Zones 1-5)
Falls Rubber Corp	... 16.34	... \$17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$12.47	... 13.32	... 13.32
Firestone Tire	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Fisk Rubber Corp	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
General Tire	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
B. F. Goodrich Co	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Goodyear Tire	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Hicks Rubber Co	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Kelly-Springfield	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Lee Tire & Rubber	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Mohawk	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Norwalk Tire	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Pennsylvania	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
F. G. Schenuit	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
Seiberling Rubber	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
U. S. Rubber Prod	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47
U. S. Tire Dealers	... 16.34	... 17.32	... 18.36	... 18.36	... \$18.36	... 18.36	... 17.28	... \$10.349	... 12.47	... 12.47

Column 12

Number of tires purchased during period 4/1/37 to 9/30/37	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires pur- chased during period 10/1/36 to 3/31/37
... 6.193	... 12.47	... 13.32

(All-others)

(6.193X\$4.00)

\$24,772.00

205

207

208

209

210

EXHIBIT A (F. 52)

SIZE: 32 BY 6, 6-INCH RIM (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co.	... . . . .	... . . . .	... . . . .	... . . . .	\$22.98	\$20.20	\$19.50	\$2.92	\$4.27	\$3.48		
The Cooper Corp	\$22.42	... . . . .	... . . . .	\$25.20	\$25.20	... . . . .	... . . . .	22.69	... . . . .		
Dayton Rubber Mfg	22.42	... . . . .	25.20	25.20	... . . . .	... . . . .	... . . . .	24.23	... . . . .		
Dunlop Tire	22.42	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .
Falls Rubber Corp	22.42	... . . . .	25.20	25.20	... . . . .	... . . . .	... . . . .	21.81	... . . . .		
Firestone Tire	22.42	\$23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	20.40	2,302	1,833		
Fisk Rubber Corp	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	19.30	... . . . .		
General Tire	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	22.55	... . . . .		
B. F. Goodrich Co	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	20.21	... . . . .		
Goodyear Tire	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	21.30	(2,302X\$2.92)	(1,833X\$4.27)		
Hicks Rubber Co	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	25.03	\$6,721.84	\$7,826.91		
Kelly-Springfield	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	24.47	... . . . .		
Lee Tire & Rubber	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	22.16	... . . . .		
Mohawk	22.42	... . . . .	25.20	25.20	... . . . .	... . . . .	... . . . .	22.50	... . . . .		
Norwalk Tire	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	24.89	... . . . .		
Pennsylvania	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	21.60	... . . . .		
F. G. Schenuit	22.42	23.77	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	25.37	... . . . .		
Seiberling Rubber	22.42	23.77	25.20	25.20	... . . . .	... . . . .	... . . . .	19.50	... . . . .		
U. S. Rubber Prod	22.42	... . . . .	25.20	25.20	... . . . .	... . . . .	... . . . .	21.09	... . . . .		
U. S. Tire Dealers	... . . . .	23.77	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .

EXHIBIT A (P. 53)

SIZE: 36 BY 6 (TRUCK, 10 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 4/31/37	Opening of 1/26/37 for period 10/1/36 to 4/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices \$1/38 to 9/30/38	Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$25.42	...	...	\$28.57	\$28.57	...	\$26.52	\$25.08	\$3.82	\$5.35
The Cooper Corp	25.72	...	...	28.57	28.57	...	25.65	25.65	...	\$4.92
Dayton Rubber Mfg	25.42	...	...	28.57	28.57	...	27.41	Number of tires purchased during period 4/1/36 to 3/31/37	Column 11	Column 12
Dunlop Tire	25.42	...	...	28.57	28.57	...	24.15	28	Number of tires purchased during period 4/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Falls Rubber Corp	25.42	\$26.95	28.57	28.57	28.57	...	23.15	...	...	...
Firestone Tire	25.42	26.95	28.57	28.57	28.57	...	21.66	...	...	...
Risk Rubber Corp	25.42	26.95	28.57	28.57	28.57	...	26.10	Damages sustained on such purchases	...	...
General Tire	25.42	26.95	28.57	28.57	28.57	...	26.93	on such purchases	(28X\$5.35)	3149.80
B. F. Goodrich Co	25.42	26.95	28.57	28.57	28.57	...	28.52	...	...	...
Goodyear Tire	25.42	26.95	28.57	28.57	28.57	...	...	...	...	...
Hicks Rubber Co	25.42	26.95	28.57	28.57	28.57	...	...	...	...	...
Kelly-Springfield	25.42	26.95	28.57	28.57	28.57	...	...	...	...	...
Lee Tire & Rubber	25.42	26.95	28.57	28.57	28.57	...	25.19	...	...	...
Mohawk	25.42	...	...	28.57	28.57	...	25.95	...	...	...
Norwalk Tire	25.42	...	...	28.57	28.57	...	28.78	...	...	...
Pennsylvania	25.42	26.95	28.57	28.57	28.57	...	24.93	...	...	...
F. G. Schenuit	25.42	26.95	28.57	28.57	28.57	...	28.66	...	...	...
Seiberling Rubber	25.42	26.95	28.57	28.57	28.57	...	21.60	...	...	...
U. S. Rubber Prod	25.42	...	...	28.57	28.57	...	25.75	...	...	...
U. S. Tire Dealers	26.95	...	...	...	...	...	...	...	...	...

216

215

214

EXHIBIT A (P. 54)**SIZE: 32 BY 7 (TRUCK, 10 PLY)**

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
	Opening of 8/17/36 for period 10/1/36 to 9/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 highest award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 highest award price	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	...	...	...	...	...	\$30.86	\$28.00	\$25.00	\$5.01	\$6.81	\$5.86	7
The Cooper Corp	...	...	...	...	...	...	...	...	...	...	...	7
Dayton Rubber Mfg	...	...	...	...	...	...	...	...	...	...	...	7
Dunlop Tire	...	...	...	...	...	...	...	...	...	...	...	7
Falls Rubber Corp	...	...	...	...	...	...	...	...	...	...	...	7
Firestone Tire	\$30.01	\$31.81	\$33.72	\$33.72	...	...	26.20	...	...	...	...	7
Fisk Rubber Corp	...	...	...	...	...	...	...	...	...	...	...	7
General Tire	30.01	31.81	33.72	33.72	...	...	30.12	...	...	...	...	7
B. F. Goodrich Co	30.01	31.81	33.72	33.72	...	...	29.35	...	...	...	...	7
Goodyear Tire	30.01	31.81	33.72	33.72	...	...	33.30	(35X\$5.01)	...	...	...	7
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...	...	7
Kelly-Springfield	...	...	...	...	...	...	...	...	...	...	...	7
Lee Tire & Rubber	...	...	...	...	...	...	...	...	...	...	...	7
Mohawk	...	...	...	...	...	...	...	...	...	...	...	7
Norwalk Tire	...	...	...	...	...	...	...	...	...	...	...	7
Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	7
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...	...	7
Seiberling Rubber	30.01	31.81	33.72	33.72	...	...	...	...	...	...	...	7
U. S. Rubber Prod	30.01	...	33.72	33.72	...	...	...	...	...	...	...	7
U. S. Tire Dealers	...	31.81	...	...	...	...	...	...	...	...	...	7

72

EXHIBIT A (P. 55)

SIZE: 34 BY 7 (TRUCK, 10 PLY)

73

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
	Column 11	Column 12								
Sears, Roebuck & Co	...	...	...	...	\$31.75	\$29.00	\$24.82	\$5.31	\$7.12	\$6.93
The Cooper Corp	\$30.13	...	\$33.86	\$33.86	...	28.64	Column 11	Column 12	...	...
Dayton Rubber Mfg.	30.13	...	33.86	33.86	...	32.63	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	...	...
Dunlop Tire	30.13*	...	33.86	33.86	...	27.56	452	452	...	...
Falls Rubber Corp	30.13	\$31.94	33.86	33.86	...	26.60	625	625	...	...
Firestone Tire	30.13	31.94	33.86	33.86	...	27.68	...	...	...	...
Fisk Rubber Corp.	30.13	31.94	33.86	33.86	...	31.14	...	...	...	...
General Tire	30.13	31.94	33.86	33.86	...	29.54	...	...	...	...
B. F. Goordich Co	30.13	31.94	33.86	33.86	...	(625X\$5.31)	(452X\$7.12)	\$3,218.24	...	...
Goodyear Tire	30.13	31.94	33.86	33.86	...	29.31	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	33.95	...	...	...	...
Kelly-Springfield	30.13	31.94	33.86	33.86	...	33.85	...	...	...	...
Lee Tire & Rubber	30.13	31.94	33.86	33.86	...	27.41	...	...	...	...
Mohawk	...	...	33.86	33.86	...	30.98	...	...	...	...
Norwalk Tire	30.13	...	33.86	33.86	...	34.36	...	...	...	...
Pennsylvania	30.13	31.94	33.86	33.86	...	29.85	...	...	...	...
F. G. Schenuit	30.13	31.94	33.86	33.19	...	33.40	...	...	...	...
Seiberling Rubber	30.13	31.94	33.86	33.86	...	24.82	...	...	...	...
U. S. Rubber Prod	30.13	...	33.86	33.86	...	29.20	...	...	...	...
U. S. Tire Dealers	...	31.94	...	...	...	...	...	...	...	...

217

218

219

222

221

220

EXHIBIT A (P. 56)**SIZE: 38 BY 7 (TRUCK, 10 PLY)**

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 2/7/38 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	\$34.28	...	...	...	\$38.52	\$38.52	...	\$36.85	\$34.65	\$27.67	\$6.61	\$8.67	\$9.18
The Cooper Corp	\$34.28	...	...	...	38.52	38.52	...	31.42	31.42	2	2	2	2
Dayton Rubber Mfg	34.59	...	38.52	38.52	...	...	...	37.05	37.05	2	2	2	2
Dunlop Tire	34.28	...	...	38.52	38.52	...	...	...	30.36	2	2	2	2
Fireside Tire	34.28	\$36.34	38.52	38.52	...	...	...	29.80	29.80	2	2	2	2
Firestone Tire	34.28	36.34	38.52	38.52	...	...	...	30.46	30.46	2	2	2	2
Firestone Rubber Corp	34.28	36.34	38.52	38.52	...	...	...	33.33	33.33	2	2	2	2
Frisk Rubber Corp	34.28	36.34	38.52	38.52	...	...	...	34.50	34.50	2	2	2	2
General Tire	34.28	36.34	38.52	38.52	...	...	...	39.65	39.65	2	2	2	2
B. F. Goodrich Co	34.28	86.34	38.52	38.52	...	...	...	35.44	35.44	2	2	2	2
Goodyear Tire	34.28	36.34	38.52	38.52	...	...	...	31.38	31.38	2	2	2	2
Hicks Rubber Co	34.28	36.34	38.52	38.52	...	...	...	33.23	33.23	2	2	2	2
Kelly Springfield	34.28	36.34	38.52	38.52	...	...	...	36.79	36.79	2	2	2	2
Lee Tire & Rubber	34.28	36.34	38.52	38.52	...	...	...	34.64	34.64	2	2	2	2
Mohawk	34.28	...	35.52	38.52	...	...	...	38.55	38.55	2	2	2	2
Norwalk Tire	34.28	36.34	38.52	38.52	...	...	...	27.67	27.67	2	2	2	2
Pennsylvania	34.28	36.34	38.52	38.52	...	...	...	33.00	33.00	2	2	2	2
F. G. Schenuit	34.28	36.34	38.52	37.36	...	...	...	38.55	38.55	2	2	2	2
Seiberling Rubber	34.28	36.34	38.52	38.52	...	...	...	22.10	22.10	2	2	2	2
U. S. Rubber Prod	34.28	...	38.52	38.52	...	...	...	33.00	33.00	2	2	2	2
U. S. Tire Dealers	34.28	36.34	38.52	38.52	...	...	...	33.00	33.00	2	2	2	2

74

EXHIBIT A (P. 57)
SIZE: 36 BY 8 (TRUCK, 12' PLY)

SIZE: 36 BY 8 (TRUCK, 12' PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 5/1/36 for period 4/1/36 to 3/31/37	Opening of 1/24/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$42.78	....	....	\$48.07	\$48.07	....	\$39.85	\$42.51	\$33.82	\$8.96
The Cooper Corp	\$42.78	....	....	48.07	48.07	....	38.54	38.54	11.53	\$6.03
Dayton Rubber Mfg	42.78	....	....	48.07	48.07	....	46.32	Number of tires pur- chased during period 10/1/36 to 3/31/37.	Column 11	Column 12
Dunlop Tire	42.78	....	....	48.07	48.07	....	....	....	....	....
Galls Rubber Corp	42.78	....	....	48.07	48.07	....	....	....	....	....
Firestone Tire	42.78	\$45.35	48.07	48.07	48.07	....	37.64	10	13	13
Fisk Rubber Corp.	42.78	45.35	48.07	48.07	48.07	....	36.40	....	....	....
General Tire	42.78	45.35	48.07	48.07	48.07	....	39.71	....	....	....
B. F. Goodrich Co	42.78	45.35	48.07	48.07	48.07	....	43.40	Damages sustained on such purchases	....	....
Goodyear Tire	42.78	45.35	48.07	48.07	48.07	....	42.26	on such purchases	(10X\$8.96)	(13X\$11.53)
Hicks Rubber Co	42.78	45.35	48.07	48.07	48.07	....	47.80	....	....	....
Kelly-Springfield	42.78	45.35	48.07	48.07	48.07	....	45.90	\$89.60	149.89	149.89
Lee Tire & Rubber	42.78	45.35	48.07	48.07	48.07	....	47.01	....	....	....
Mohawk	42.78	....	....	48.07	48.07	....	39.43	....	....	....
Norwalk Tire	42.78	....	....	40.07	40.07	....	43.02	....	....	....
Pennsylvania	42.78	45.35	48.07	48.07	48.07	....	47.73	....	....	....
F. G. Schenuit	42.78	45.35	48.07	48.07	48.07	....	37.46	....	....	....
Seiberling Rubber	42.78	45.35	48.07	48.07	48.07	....	45.48	....	....	....
J. S. Rubber Prod	42.78	....	....	48.07	48.07	....	33.82	....	....	....
J. S. Tire Dealers	45.35	....	....	48.07	48.07	....	42.69	....	....	....

226

227

EXHIBIT A (P. 58)

SIZE: 40 BY 8 (TRUCK, 12 PLY)

Company	Column 1 Opening of 8/17/36 of 1/25/37 for period 4/1/36 to 9/30/37	Column 2 Opening of 7/21/37 for period 10/1/37 to 9/30/37	Column 3 Opening of 9/20/37 for period 10/1/37 to 9/30/38	Column 4 Sears, Roebuck & Co. price for period 10/1/37 to 9/30/38	Column 5 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 6 Award prices 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	\$48.28	.....	.....	\$54.25	\$54.25	.....	.....	\$50.17	\$47.15	\$35.77	\$12.51	\$15.41	\$14.40
The Cooper Corp	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	42.28	.....	.....	.....
Dayton Rubber Mfg.	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	52.17	.....	.....	.....
Dunlop Tire	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	19	.....	51	.....
Falls Rubber Corp	48.28	\$51.18	54.25	54.25	54.25	.....	.....	.....	.....	41.23	.....	.....	.....
Firestone Tire	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	42.50	.....	.....	.....
Fisk Rubber Corp	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	43.14	.....	.....	.....
General Tire	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	45.69	.....	.....	.....
B. F. Goodrich Co	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	47.62	.....	.....	.....
Goodyear Tire	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	54.91	(19X\$12.51)	.....	.....
Hicks Rubber Co	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	50.43	.....	.....	.....
Kelly-Springfield	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	51.42	.....	.....	.....
Lee Tire & Rubber	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	44.61	.....	.....	.....
Mohawk	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	47.14	.....	.....	.....
Norwalk Tire	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	52.25	.....	.....	.....
Pennsylvania	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	47.16	.....	.....	.....
F. G. Schenuit	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	53.47	.....	.....	.....
Seiberling Rubber	48.28	51.18	54.25	54.25	54.25	.....	.....	.....	.....	35.77	.....	.....	.....
U. S. Rubber Prod	48.28	.....	.....	54.25	54.25	.....	.....	.....	.....	46.76	.....	.....	.....
U. S. Tire Dealers	.....	.....	.....	51.18	.....	.....	.....	.....	.....	.....	.....	.....	.....

228

EXHIBIT A (P. 59)

SIZE: 6.00 BY 20 (TRUCK, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	\$1.61	\$2.23
Sears, Roebuck & Co	\$10.41	...	...	\$11.69	\$11.69	...	11.25	...	\$2.13	
The Cooper Corp	\$10.41	...	...	11.69	11.69	...	11.10	...	Column 11	Column 12
Dayton Rubber Mfg	10.41	...	...	11.69	11.69	...	...	...	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Dunlop Tire	10.41	...	...	11.69	11.69	...	10.91	...		
Falls Rubber Corp	10.41	...	...	11.69	11.69	...	8.80	...		
Firestone Tire	10.41	\$11.03	11.03	11.69	11.69	...	9.47	...		
Fisk Rubber Corp	10.41	11.03	11.03	11.69	11.69	...	10.48	...		
General Tire	10.41	11.03	11.03	11.69	11.69	...	9.93	...		
B. F. Goodrich Co	10.41	11.03	11.03	11.69	11.69	...	9.42	...		
Goodyear Tire	10.41	11.03	11.03	11.69	11.69	...	12.44	...		
Hicks Rubber Co	...	...	...	...	...	...	11.42	...		
Kelly-Springfield	10.41	11.03	11.03	11.69	11.69	...	10.93	...		
Lee Tire & Rubber	10.41	11.03	11.03	11.69	11.69	...	10.56	...		
Mohawk	...	...	...	11.69	11.69	...	11.64	...		
Norwalk Tire	10.41	...	...	11.69	11.69	...	10.27	...		
Pennsylvania	10.41	11.03	11.03	11.69	11.69	...	14.28	...		
F. G. Schenuit	10.41	...	...	...	...	...	9.47	...		
Seiberling Rubber	10.41	11.03	11.03	11.69	11.69	...	9.37	...		
U. S. Rubber Prod	10.41	...	11.03	...	...	...	...	...
U. S. Tire Dealers	...	...	...	...	...	...	...	...

EXHIBIT A (P. 60)

SIZE: 6.50 BY 20 (TRUCK, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/36 to 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 award price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 9/30/37	
Sears, Roebuck & Co	\$12.88	.....	.....	.....	\$14.47	\$14.47	.....	\$13.28	\$12.48	\$10.82	\$2.06	\$2.83	\$2.46
The Cooper Corp	\$12.88	.....	.....	.....	14.47	14.47	.....	11.96	11.96	11.96	11.96	11.96	11.96
Dayton Rubber Mfg	12.88	.....	.....	.....	14.47	14.47	.....	13.81	13.81	13.81	13.81	13.81	13.81
Dunlop Tire	12.88	.....	.....	.....	14.47	14.47	.....	12.47	12.47	12.47	12.47	12.47	12.47
Falls Rubber Corp	12.88	.....	.....	.....	14.47	14.47	.....	11.45	11.45	11.45	11.45	11.45	11.45
Firestone Tire	12.88	\$13.65	13.65	13.65	14.47	14.47	14.47	10.90	10.90	10.90	10.90	10.90	10.90
Fisk Rubber Corp	12.88	13.65	14.47	14.47	14.47	14.47	14.47	12.75	12.75	12.75	12.75	12.75	12.75
General Tire	12.88	13.65	14.47	14.47	14.47	14.47	14.47	11.72	11.72	11.72	11.72	11.72	11.72
B. F. Goodrich Co	12.88	13.65	14.47	14.47	14.47	14.47	14.47	12.03	12.03	12.03	12.03	12.03	12.03
Goodyear Tire	12.88	13.65	14.47	14.47	14.47	14.47	14.47	14.04	14.04	14.04	14.04	14.04	14.04
Hicks Rubber Co	.....	.....	.....	.....	14.47	14.47	14.47	14.47	14.47	14.47	14.47	14.47	14.47
Kelly-Springfield	12.88	13.65	14.47	14.47	14.47	14.47	14.47	14.84	14.84	14.84	14.84	14.84	14.84
Lee Tire & Rubber	12.88	13.65	14.47	14.47	14.47	14.47	14.47	12.83	12.83	12.83	12.83	12.83	12.83
Mohawk	.....	.....	.....	.....	14.47	14.47	14.47	13.65	13.65	13.65	13.65	13.65	13.65
Norwalk Tire	12.88	.....	.....	.....	14.47	14.47	14.47	15.10	15.10	15.10	15.10	15.10	15.10
Pennsylvania	12.88	13.65	14.47	14.47	14.47	14.47	14.47	15.06	15.06	15.06	15.06	15.06	15.06
F. G. Schenuit	12.88	.....	.....	.....	14.47	14.47	14.47	16.81	16.81	16.81	16.81	16.81	16.81
Seiberling Rubber	12.88	13.65	14.47	14.47	14.47	14.47	14.47	10.82	10.82	10.82	10.82	10.82	10.82
U. S. Rubber Prod	12.88	.....	.....	.....	14.47	14.47	14.47	11.97	11.97	11.97	11.97	11.97	11.97
U. S. Tire Dealers	.....	13.65	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

EXHIBIT A (P. 61)
SIZE: 7.00 BY 20 (TRUCK, 8 PLY)

79

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/26/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co., price for period 10/1/37 to 8/31/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 10/1/38 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	... . . . .	... . . . .	... . . . .	... . . . .	\$17.90	\$17.90	\$14.47	\$3.48	\$4.56	\$3.43
The Cooper Corp.	\$17.95	... . . . .	... . . . .	\$20.17	\$20.17	... . . . .	16.80	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	
Dayton Rubber Mfg.	17.95	... . . . .	20.17	20.17	... . . . .	19.25	... . . . .	... . . . .	... . . . .
Dunlop Tire	17.95	... . . . .	... . . . .	20.17	20.17	... . . . .	16.43	611	823	
Falls Rubber Corp.	17.95	\$19.03	20.17	20.17	... . . . .	15.62	... . . . .	... . . . .	... . . . .
Firestone Tire	17.95	19.03	20.17	20.17	... . . . .	14.66	... . . . .	... . . . .	... . . . .
Fisk Rubber Corp.	17.95	19.03	20.17	20.17	... . . . .	18.12	... . . . .	... . . . .	... . . . .
General Tire	17.95	19.03	20.17	20.17	... . . . .	17.10	... . . . .	... . . . .	... . . . .
B. F. Goodrich Co.	17.95	19.03	20.17	20.17	... . . . .	17.61	(611X\$3.48)	... . . . .	... . . . .
Goodyear Tire	17.95	19.03	20.17	20.17	... . . . .	20.12	\$2,126.28	... . . . .	... . . . .
Hicks Rubber Co.	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	19.58	... . . . .	... . . . .	... . . . .
Kelly Springfield	17.95	19.03	20.17	20.17	... . . . .	19.46	... . . . .	... . . . .	... . . . .
Lee Tire & Rubber	17.95	19.03	20.17	20.17	... . . . .	18.10	... . . . .	... . . . .	... . . . .
Mohawk	... . . . .	... . . . .	20.17	20.17	... . . . .	20.02	... . . . .	... . . . .	... . . . .
Norwalk Tire	17.95	19.03	20.17	20.17	... . . . .	16.83	... . . . .	... . . . .	... . . . .
Pennsylvania	17.95	19.03	20.17	20.17	... . . . .	21.00	... . . . .	... . . . .	... . . . .
F. G. Schennt	17.95	19.03	20.17	20.17	... . . . .	14.47	... . . . .	... . . . .	... . . . .
Seiberling Rubber	17.95	19.03	20.17	20.17	... . . . .	16.07	... . . . .	... . . . .	... . . . .
U. S. Rubber Prod	17.95	... . . . .	20.17	20.17	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .
U. S. Tire Dealers	... . . . .	19.03	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .	... . . . .

235

236

237

238

EXHIBIT A (P. 62)

SIZE: 7.50 BY 20 (TRUCK, .8 PLY)

239

240

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 10/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. prices for period 4/1/38 to 9/30/38	Opening of 2/7/38 Co. prices for period 4/1/38 to 9/30/38	Award prices 9/30/38	Difference be- tween 10/1/33 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference be- tween 4/1/37 to 9/30/38 award price and 4/1/38 to 9/30/38 highest award price	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co	...	...	...	\$21.82	\$20.89	\$17.60	\$3.84	\$5.13	\$4.22	
The Cooper Corp	\$21.44	...	\$24.09	\$24.09	...	24.86	Column 11			
Dayton Rubber Mfg	21.44	...	24.09	24.09	...	22.84	Number of tires purchased during period 10/1/36 to 3/31/37			
Dunlop Tire	21.44	...	...	...	...	...	1.399			
Falls Rubber Corp	21.44	...	24.09	24.09	...	23.25				
Firestone Tire	21.44	\$22.73	24.09	24.09	...	18.95				
Fisk Rubber Corp	21.44	22.73	24.09	24.09	...	19.12				
General Tire	21.44	22.73	24.09	24.09	...	21.86	Damages sustained on such purchases			
B. F. Goodrich Co	21.44	22.73	24.09	24.09	...	18.74	(685X\$3.84)	(1,399X\$5.13)		
Goodyear Tire	21.44	22.73	24.09	24.09	...	21.06				
Hicks Rubber Co	...	...	...	...	...	25.75				
Kelly-Springfield	21.44	22.73	24.09	24.09	...	23.77				
Lee Tire & Rubber Mohawk	21.44	22.73	24.09	24.09	...	21.18				
Norwalk Tire	21.44	...	24.09	24.09	...	21.88				
Pennsylvania	21.44	22.73	24.09	24.09	...	24.19				
F. G. Schenuit	21.44	...	...	...	...	20.51				
Seiberling Rubber	21.44	22.73	24.09	24.09	...	26.00				
U. S. Rubber Prod	21.44	...	24.09	24.09	...	20.65				
U. S. Tire Dealers	22.73	...	...	...	...	17.60				

EXHIBIT A (P. 63)

SIZE: 8.25 BY 18 (TRUCK, 10 PLY)

81

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38 award price	Column 8 Difference between 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roeback & Co	....	....	....	....	\$33.15	\$31.92	\$27.07	\$3.21	\$5.03	\$6.08
The Cooper Corp.	....	....	....	....	....	....	....	....	....	(Zones 10 and 11)
Dayton Rubber Mfg	....	....	....	....	....	....	....	....	....	26.60
Dunlop Tire	....	....	....	....	....	....	....	....	....	(All others)
Falls Rubber Corp	....	....	....	....	....	....	....	....	....	27.54
Firestone Tire	\$30.28	\$32.10	\$34.03	\$34.03	....	....	....	....	....	Column 11
Fisk Rubber Corp	....	32.10	34.03	34.03	....	....	....	....	....	30.34
General Tire	30.28	32.10	34.03	34.03	....	....	....	....	....	Number of tires pur- chased during period 10/1/36 to 3/31/37
B. F. Goodrich Co	30.28	32.10	34.03	34.03	....	....	....	....	....	31.39
Goodyear Tire	30.28	32.10	34.03	34.03	....	....	....	....	....	2
Hicks Rubber	....	....	....	....	....	....	....	....	....	33.61
Kelly-Springfield	....	....	....	....	....	....	....	....	....	26.60
Lee Tire & Rubber	....	....	....	....	....	....	....	....	....	Mohawk
Mohawk	....	....	....	....	....	....	....	....	....	Norwalk Tire
Pennsylvania	....	....	....	....	....	....	....	....	....	F. G. Schenuit
Seiberling Rubber	....	....	....	....	....	....	....	....	....	U. S. Rubber Prod
U. S. Tire Dealers	30.28	32.10	34.03	34.03	....	....	....	....	....	U. S. Tire Dealers

241

242

243

246

EXHIBIT A (P. 64)

SIZE: 8.25 BY 20 (TRUCK, 10 PLY)

245

244

82

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/29/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award prices	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award prices	Difference be- tween 4/1/37 to 9/30/38 award price and 4/1/38 to 9/30/38 award prices	Number of tires purchased 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	...	...	...	...	\$31.49	\$28.45	\$28.09	\$2.30	\$5.18	\$3.40		
The Cooper Corp	\$31.39	...	...	\$35.27	\$35.27	...	31.61					
Dayton Rubber Mfg	31.39	...	35.27	35.27	...	...	33.77					
Dunlop Tire	31.39	...	...	35.27	35.27	...	...	29.69				
Falls Rubber Corp	31.39	\$33.27	35.27	35.27	...	...	28.10					
Firestone Tire	31.39	33.27	35.27	35.27	...	...	28.10					
Fisk Rubber Corp	31.39	33.27	35.27	35.27	...	...	30.75					
General Tire	31.39	33.27	35.27	35.27	...	...	32.17					
B. F. Goodrich Co	31.39	33.27	35.27	35.27	...	...	29.69					
Goodyear Tire	31.39	33.27	35.27	35.27	...	...	30.90					
Hicks Rubber Co	31.39	33.27	35.27	35.27	...	...	35.86					
Kelly-Springfield	31.39	33.27	35.27	35.27	...	...	35.04					
Lee Tire & Rubber	31.39	33.27	35.27	35.27	...	...	28.27					
Mohawk	31.39	33.27	35.27	35.27	...	...	31.35					
Norwalk Tire	31.39	33.27	35.27	35.27	...	...	35.62					
Pennsylvania	31.39	33.27	35.27	35.27	...	...	29.60					
F. G. Schenuit	31.39	33.27	35.27	35.27	...	...	32.95					
Seiberling Rubber	31.39	33.27	35.27	35.27	...	...	28.09					
U. S. Rubber	31.39	33.27	35.27	35.27	...	...	32.30					
U. S. Tire Dealers	31.39	33.27	35.27	35.27	...	...	32.30					

EXHIBIT A (P. 65)
SIZE: 9.00 BY 18 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for Period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37
Sears, Roebuck & Co						\$39.50	\$37.93	\$31.25	\$4.63	\$6.78	\$8.25	
The Cooper Corp												
Dayton Rubber Mfg.												
Dunlop Tire												
Falls Rubber Corp.												
Firestone Tire	\$35.88	\$38.03	\$40.31	\$40.31								
Fisk Rubber Corp	35.88	38.03	40.31	40.31								
General Tire	35.88	38.03	40.31	40.31								
B. F. Goodrich Co	35.88	38.03	40.31	40.31								
Goodyear Tire	35.88	38.03	40.31	40.31								
Hicks Rubber Co												
Kelly-Springfield												
Lee Tire & Rubber												
Mohawk												
Norwalk Tire												
Pennsylvania												
F. G. Schemnit												
Seiberling Rubber	35.88	38.03	40.31	40.31								
U. S. Rubber Prod	35.88	38.03	40.31	40.31								
U. S. Tire Dealers												

83

247

248

249

252

251

250

EXHIBIT A (P. 66)

SIZE: 9.00 BY 20 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 10/1/36 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38.	Column 4 Sears, Roe- buck & Co. price for period 4/1/37 to 3/31/38	Column 5 Opening of 9/30/37 for period 10/1/37 to 9/30/38	Column 6 Sears, Roe- buck & Co. price for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/35 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 10/1/35 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	
Sears, Roebuck & Co	\$36.59	...	...	\$41.12	\$41.12	...	...	35.65	\$36.81	\$32.59	\$4.00	\$6.20	\$6.06
The Cooper Corp.	\$36.59	...	...	41.12	41.12	...	...	39.42	...	...	...	...	...
Dayton Rubber Mfg	36.59	...	...	41.12	41.12	...	...	...	...	...	...	...	...
Dunlop Tire	36.59	...	...	41.12	41.12	...	...	35.27	...	...	...	...	...
Falls Rubber Corp	36.59	...	...	41.12	41.12	...	...	32.59	...	61	149	"	"
Firestone Tire	36.59	...	...	41.12	41.12	...	...	...	...	...	...	...	...
Fisk Rubber Corp	36.59	38.79	41.12	41.12	41.12	...	...	37.43	...	...	...	...	...
General Tire	36.59	38.79	41.12	41.12	41.12	...	...	36.09	...	...	...	...	...
B. F. Goodrich Co	36.59	38.79	41.12	41.12	41.12	...	...	35.30	...	(61X\$4.00)	(149X\$6.20)	(\$923.80)	...
Goodyear Tire	36.59	38.79	41.12	41.12	41.12	...	...	40.53	...	...	...	...	...
Hicks Rubber Co	36.59	38.79	41.12	41.12	41.12	...	...	...	...	42.61	...	...	...
Kelly-Springfield	36.59	38.79	41.12	41.12	41.12	...	...	42.22	...	...	...	...	...
Lee Tire & Rubber	36.59	38.79	41.12	41.12	41.12	...	...	32.37	...	...	...	...	...
Mohawk	36.59	38.79	41.12	41.12	41.12	...	...	38.69	...	...	...	...	...
Norwalk Tire	36.59	38.79	41.12	41.12	41.12	...	...	42.90	...	...	...	...	...
Pennsylvania	36.59	38.79	41.12	41.12	41.12	...	...	36.33	...	...	...	...	...
F. G. Schenuit	36.59	38.79	41.12	40.30	40.30	...	...	39.85	...	...	...	...	...
Seiberling Rubber	36.59	38.79	41.12	41.12	41.12	...	...	37.00	...	...	...	...	...
U. S. Rubber Prod	36.59	38.79	41.12	41.12	41.12	...	...	...	...	...	...	...	...
U. S. Tire Dealers	38.79	...	...	...	...	...	...	...	...	...	...	...	...

84

EXHIBIT A (F. 67)

SIZE: 9.00 BY 22 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roebuck & Co. price for period 10/1/38 to 9/30/38	Column 5 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co										
The Cooper Corp										
Dayton Rubber Mfg	\$38.97			\$43.79	\$43.79					
Dunlop Tire										
Falls Rubber Corp										
Firestone Tire	38.97	\$41.31	43.79	43.79			\$34.23			
Fisk Rubber Corp	38.97	41.31	43.79	43.79			39.15			
General Tire	38.97	41.31	43.79	43.79			39.84			
B. F. Goodrich Co	38.97	41.31	43.79	43.79			39.84			
General Tire	38.97	41.31	43.79	43.79			40.75			
Hicks Rubber Co										
Kelly-Springfield										
Lee Tire & Rubber										
Mohawk										
Norwalk Tire										
Pennsylvania										
F. G. Schenuit										
Seiberling Rubber	38.97	41.31	43.79	43.79						
U. S. Rubber Prod	38.97		43.79	43.79						
U. S. Tire Dealers		41.31								

85

253

Number of tires purchased
during period 4/1/37 to
9/30/37

4

Number of tires pur-
chased during period
10/1/36 to 3/31/37

12

Damages sustained
on such purchases

(4X\$7.08)

(12X\$4.74)

\$56.88

254

255

EXHIBIT A (P. 68)

SIZE: 9.00 BY 24 (TRUCK, -10 PLY)

EXHIBIT A (1'-03)
SIZE: 9.75 BY 20 (TRUCK, 12 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/36 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$54.53	\$54.53	....	....	....	\$9.21
The Cooper Corp	\$48.53	....	....	....	\$50.71	\$47.60	\$41.50	\$7.03	\$9.94	\$9.94
Dayton Rubber Mfg	48.53	....	54.53	54.53	....	....	45.15	....	....	....
Dunlop Tire	48.53	....	....	....	....	....	52.58	Number of tires pur- chased during period 10/1/35 to 3/31/37	....	....
Falls Rubber Corp	48.53	....	54.53	54.53	....	....	44.17	....	....	....
Firestone Tire	48.53	\$51.44	54.53	54.53	....	....	41.50	....	....	....
Fisk Rubber Corp	48.53	51.44	54.53	54.53	....	....	47.02	....	....	....
General Tire	48.53	51.44	54.53	54.53	....	....	46.85	Damages sustained on such purchases	Damages sustained on such purchases	....
B. F. Goodrich Co	48.53	51.44	54.53	54.53	....	....	46.86	(219X\$7.03)	(243X\$9.94)	....
Goodyear Tire	48.53	51.44	54.53	54.53	....	....	53.80	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	52.47	....	....	....
Kelly-Springfield	48.53	51.44	54.53	54.53	....	....	55.42	....	....	....
Ley Tire & Rubber	48.53	51.44	54.53	54.53	....	....	44.16	....	....	....
Mohawk	....	....	54.53	54.53	....	....	50.59	....	....	....
Norwalk Tire	48.53	....	54.53	54.53	....	....	56.22	....	....	....
Pennsylvania	48.53	51.44	54.53	54.53	....	....	47.67	....	....	....
F. G. Schemit	48.53	51.44	54.53	51.80	....	....	51.81	....	....	....
Seiberling Rubber	48.53	51.44	54.53	54.53	42.48
U. S. Rubber Prod	48.53	54.53	54.53	47.80
V. S. Tire Dealers	51.44

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262

EXHIBIT A (P. 70)

SIZE: 9.75 BY 22 (TRUCK, 12 PLY)

EXHIBIT A (C. 11)

SIZE: 9.75 BY 24 (TRUCK, 12 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices \$1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.										
The Cooper Corp	\$53.35				\$59.94	\$59.94				
Dayton Rubber Mfg	53.59				60.10	60.10				
Dunlop Tire										
Falls Rubber Corp										
Firestone Tire	53.35	\$56.55			59.94	59.94				
Fisk Rubber Corp	53.35	56.55			59.94	59.94				
General Tire	53.35	56.55			59.94	59.94				
B. F. Goodrich Co	53.35	56.55			59.94	59.94				
Goodyear Tire	53.35	56.55			59.94	59.94				
Hicks Rubber Co										
Kelly-Springfield	53.35	56.55			59.94	59.94				
Lee Tire & Rubber	53.35	56.55			59.94	59.94				
Mohawk										
Norwalk Tire	53.35				59.94	59.94				
Pennsylvania	53.35	56.55			59.94	59.94				
F. G. Schemnit										
Seiberling Rubber	53.35	56.55			59.94	59.94				
U. S. Rubber Prod	53.35				59.94	59.94				
U. S. Tire Dealers					56.55					

89

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37

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EXHIBIT A (P. 72)

SIZE: 10.50 BY 20 (TRUCK, 12 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/38 to 9/30/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 11	Column 12
Sears, Roebuck & Co	\$55.48	\$62.34	\$62.34	\$62.34	\$57.19	\$53.72	\$47.90	\$7.58	\$10.91	\$9.29	
The Cooper Corp	55.48	62.34	62.34	62.34	47.85	60.32	60.32	73			
Dayton Rubber Mfg	55.48	62.34	62.34	62.34							
Dunlop Tire	55.48	62.34	62.34	62.34							
Falls Rubber Corp	55.48	\$58.81	62.34	62.34	47.90	20					
Firestone Tire	55.48	58.81	62.34	62.34							
Fisk Rubber Corp	55.48	58.81	62.34	62.34							
General Tire	55.48	58.81	62.34	62.34							
B. F. Goodrich Co	55.48	58.81	62.34	62.34							
Goodyear Tire	55.48	58.81	62.34	62.34							
Hicks Rubber Co	55.48	58.81	62.34	62.34							
Kelly-Springfield	55.48	58.81	62.34	62.34							
Lee Tire & Rubber	55.48	58.81	62.34	62.34							
Mohawk	55.48	62.34	62.34	62.34							
Norwalk Tire	55.48	58.81	62.34	62.34							
Pennsylvania	55.48	58.81	62.34	62.34							
F. G. Schenuit	55.48	62.34	62.34	62.34							
Seiberling Rubber	55.48	58.81	62.34	62.34							
U. S. Rubber Prod	55.48	58.81	62.34	62.34							
U. S. Tire Dealers	58.81										

90

EXHIBIT A (P. 73)
SIZE: 11.25 BY 24 (TRUCK, 14 PLY)

91

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co					\$89.47		\$76.48	\$12.42	\$17.75	\$12.99
The Cooper Corp.							67.62			(Zones 10 & 11)
Dayton Rubber Mfg							\$65.15			
Dunlop Tire										
Falls Rubber Corp										
Firestone Tire	\$88.90	\$94.23	\$99.88	\$99.88		75.88				
Fisk Rubber Corp	88.90	94.23	99.88	99.88		71.79				
General Tire	88.90	94.23	99.88	99.88		84.26				
B. F. Goodrich Co	88.90	94.23	99.88	99.88		81.18				
Goodyear Tire	88.90	94.23	99.88	99.88		96.71				
Hicks Rubber Co	88.90	94.23	99.88	99.88		78.39				
Kelly Springfield	88.90	94.23	99.88	99.88						
Lee Tire & Rubber	88.90	94.23	99.88	99.88						
Mohawk										
Norwalk Tire										
Pennsylvania										
F. G. Schenuit										
Seiberling Rubber										
U. S. Rubber Prod										
U. S. Tire Dealers										

271

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273

EXHIBIT A (P. 74)

SIZE: 13.50 BY 24 (THICK: 16 PLY)

EXHIBIT A (P. 75)

SIZE: 5.50 BY 17 (SPECIAL MUD AND SNOW, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price
	Column 11 Number of tires purchased 10/1/36 to 3/31/37	Column 12 Number of tires pur- chased during period 10/1/36 to 3/31/37								
Sears, Roebuck & Co	... \$7.13	... 8.01	... \$8.01	... 8.01	... \$8.01	... 7.30	... 7.30	... \$0.80	... \$0.52	
The Cooper Corp	\$7.13	... 8.01	... \$8.01	... 8.01	... 8.01	... 7.60	... 7.60			
Dayton Rubber Mfg	7.13	... 8.01	... \$8.01	... 8.01	... 8.01	... 7.60	... 7.60			
Dunlop Tire	7.13	... 8.01	... \$8.01	... 8.01	... 8.01	... 7.60	... 7.60			
Falls, Rubber Corp	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.80	... 6.80			
Firestone Tire	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.80	... 6.80			
Fisk Rubber Corp	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
General Tire	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
B. F. Goodrich Co	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Goodyear Tire	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Hicks Rubber Co	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Kelly-Springfield	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Lee Tire & Rubber	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Mohawk	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Norwalk Tire	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Pennsylvania	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
F. G. Schemit	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
Seiberling Rubber	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
U. S. Rubber Prod	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			
U. S. Tire Dealers	7.13	... \$7.56	... 8.01	... 8.01	... 8.01	... 6.81	... 6.81			

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281

282

EXHIBIT A (P. 76)

SIZE: 6.00 BY 16 (SPECIAL MUD AND SNOW, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 9/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 9/31/38	Sears, Roebuck & Co. prices for period 10/1/37 to 9/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference be- tween 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 4/1/37 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference be- tween 10/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
										Column 11
Sears, Roebuck & Co	\$8.58	.....	.....	\$9.64	\$9.64	.....	\$8.34	\$7.90	\$7.22	\$1.36
The Cooper Corp	\$8.58	.....	.....	9.64	9.64	.....	9.20	7.80	.....	Column 12
Dayton Rubber Mfg	8.58	.....	.....	.....	.....	.....	.....	.....	.....	Number of tires pur- chased during period 10/1/36 to 3/31/37
Dunlop Tire	.....	.....	.....	9.64	9.64	.....	.....	7.77	16	2
Falls Rubber Corp	8.58	.....	\$9.09	9.64	9.64	.....	.....	7.50	.....	.....
Firestone Tire	8.58	.....	.....	9.64	9.64	.....	.....	7.33	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	9.64	.....	9.46	.....	.....	Damages sustained
General Tire	.....	.....	.....	9.64	9.64	.....	7.49	on such purchases	.....	on such purchases
B. F. Goodrich Co	8.58	9.09	9.64	9.64	9.64	.....	8.09	(16X\$1.36)	.....	(2X\$1.87)
Goodyear Tire	8.58	9.09	9.64	9.64	9.64	.....	8.74	\$21.76	.....	\$3.74
Hicks Rubber Co	.....	.....	9.09	9.64	9.64	.....	.....	10.24	.....	.....
Kelly-Springfield	.....	.....	.....	9.64	9.64	.....	.....	8.11	.....	.....
Lee Tire & Rubber	.....	.....	.....	9.64	9.64	.....	.....	9.36	.....	.....
Mohawk	.....	.....	.....	9.64	9.64	.....	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	9.64	9.64	.....	.....	7.84	.....	.....
Pennsylvania	9.09	9.64	9.64	9.64	9.64	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	9.64	9.64	.....	.....	.....	.....	.....
Seiberling Rubber	9.09	9.64	9.64	9.64	9.64	.....	.....	7.22	.....	.....
U. S. Rubber Prod	8.58	9.64	9.64	9.64	9.64	.....	.....	7.50	.....	.....
U. S. Tire Dealers	9.09	9.64	9.64	9.64	9.64	.....	.....	.....	.....	.....

94

EXHIBIT A (P. 77)

SIZE: 5.00 BY 15 (LOW-PRESSURE, TRACTOR, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Years, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/27/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 award price and 4/1/38 to 9/30/38 award price	Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price	Difference between 10/1/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$5.57	\$4.62	\$3.99	\$2.41
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$6.40	\$6.78	\$7.19	\$7.19	...	...	3.99	...	...	...
Frisk Rubber Corp
General Tire
B. F. Goodrich Co.	6.40	6.78	7.19	7.19	...	...	6.48	...	...	...
Goodyear Tire	6.40	6.78	7.19	7.19	...	...	5.34	(10X\$2.41)	...	...
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	6.40	...	7.19	7.19
U. S. Tire Dealers	...	6.78

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Column 11.
Number of tires purchased during period 10/1/36 to 3/31/37

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EXHIBIT A (P. 78)

SIZE: 6.00 BY 16 (LOW PRESSURE, TRACTOR, 4 PLY)

EXHIBIT A (P. 79)
SIZE: 7.50 BY 10 (LOW PRESSURE, TRACTOR, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 5 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 6 Sears, Roe- buck & Co. price for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award prices	Column 9 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award prices	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award prices
Sears, Roebuck & Co	\$13.32	\$12.60	\$10.00	\$3.37
The Cooper Corp	\$4.17
Dayton Rubber Mfg	\$3.32
Dunlop Tire
Falls Rubber Corp
Firestone Tire
Fisk Rubber Corp
General Tire
B. F. Goodrich Co	13.37	14.17	15.02	15.02	....	....	....	....	....	....
Goodyear Tire	13.37	14.17	15.02	15.02	....	....	....	....	....	....
Hicks Rubber Co
Kelly Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	13.37	....	....	....	....	....	....	....	....	....
U. S. Tire Dealers	14.17	....	....	....	....	....	....	....	....

EXHIBIT A (P. 80)

SIZE: 9.00 BY 36 (LOW PRESSURE, TRACTOR, HEAVY DUTY)

EXHIBIT A (P. 81)

SIZE: 11.25 BY 24 (LOW PRESSURE, TRACTOR, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/36 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/29/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$37.83	\$34.58	\$28.94	\$5.81	\$7.90	\$8.89
The Cooper Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	Column 11
Dayton Rubber Mfg	.....	.....	.....	.....	.....	.....	.....	.....	.....	Number of tires purchased during period 10/1/36 to 3/31/37
Dunlop Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Firestone Tire	\$34.75	\$36.84	\$39.05	\$39.05	.....	.....	28.94	4	7	7
Fisk Rubber Corp	.....	.....	39.05	39.05	.....	.....	.....	.....	.....	.....
General Tire	34.75	36.84	39.05	39.05	.....	.....	44.20	4	4	4
B. F. Goodrich Co	34.75	36.84	39.05	39.05	.....	.....	38.64	(4X\$5.81)	(\$7.90)	(\$5.30)
Goodyear Tire	34.75	36.84	39.05	39.05	.....	.....	.....	(\$23.24)	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
U. S. Rubber Prod	34.75	.....	39.05	39.05	.....	.....	.....	.....	.....	32.26
U. S. Tire Dealers	.....	36.84	.....	.....	.....	.....	.....	.....	.....	.....

99

295

296

297

EXHIBIT A (P. 82)

SIZE: 12.75 BY 28 (LOW PRESSURE, TRACTOR-6 PLY)

**Motion to Dismiss Complaint. (Similar motions
made in behalf of all other defendants except
F. G. Schenuit Rubber Company.)**

IN THE
DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK

301

[SAME TITLE]

SIES:

PLEASE TAKE NOTICE that upon the complaint herein, the undersigned will move this Court at Room 506, United States Courts and Post Office Building, Borough of Manhattan, City of New York, on the 28th day of April, 1939, at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an order dismissing this action because the complaint fails to state a claim against defendants upon which relief can be granted, and for such other and further relief as the Court may deem just, including permission, if this motion be denied, to answer or move for a Bill of Particulars within such time as may be fixed by order of this Court.

302

Dated: New York, N. Y., April 14, 1939.

303

OSBORNE MITCHELL,
HENRY GOLDSTEIN,
Attorneys for Defendants, The Cooper
Corporation and The Falls Rubber
Company.

Opinion.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

304

[SAME TITLE]

CONGER, D.J.:

This is a motion, by the defendants to dismiss the complaint because it fails to state a claim upon which relief can be granted.

305

The complaint sets forth an alleged claim under Section 7 of the Sherman Act (26 Stat. 210) asking for treble damages allegedly suffered by the United States in purchasing tires from the defendants at uniform prices.

Section 7 of the Sherman Act reads as follows:

306

"Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any district court of the United States in the district in which the defendant resides, or is found, without respect to the amount in controversy, and shall recover three-fold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee."

The question involved is whether or not the United States can be considered a "person" with the right to sue under the above-quoted section.

Section 8 of the Sherman Act, which defines a "person", reads as follows:

Opinion.

"The word 'person', or 'persons', wherever used in this act, shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country."

307

It might be noted at this time, that this is the first suit brought by the United States under this section since the Act was passed on July 2, 1890. The United States has limited itself, in the past, to the criminal and equitable injunction sections of the anti-trust laws.

Section 3 (*supra*) which defines a "person" includes corporations and associations existing under the laws of the United States, but fails to specifically include the government of the United States, and therefore, it rests upon the court to interpret this statute, and to determine whether or not the United States can be considered such a "person", entitled to sue.

308

There is very little precedent in the reported cases to aid in deciding this question, but from the cases that are reported, it is apparent that the courts, in the past, have been careful in distinguishing, not only between the criminal and civil sections of this Act, but also in distinguishing between what the United States can and cannot do under the Act. Nowhere is the United States expressly given the right to bring a civil action under Section 7; but nowhere is the United States specifically denied this right, either.

309

There are a number of cases wherein Section 7 and 8 of the Act have been construed, although not exactly on the precise point. Nevertheless there is very significant language in several of these cases, indicating that the courts have been careful to point out that Section 7 is restricted to private

Opinion.

persons and that the remedy of the government is given in the criminal and equitable injunction sections of the Act.

310

For instance, in the case of *Pidcock v. Harrington* (64 F. 821, 822) we find this language:

311

" * * * a private person is given (section 7) the right to maintain an action at law; * * *. The first three sections are penal statutes. They give no civil remedy. Section 4 vests the right to institute proceedings in equity in the district attorneys of the United States, and, together with Section 5, prescribes the procedure in such suits. Section 6 provides for the seizure and forfeiture to the United States of property illegally owned under the provisions of the Act. So far, then, the act is a public act providing no private remedy. * * * The only section which gives a private remedy is the seventh * * *."

In *Greer, Mills & Co. v. Stoller* (77 F. 1, 3) we find this language:

312

"Section 7 gives to the private person 'injured in his business or property by any other person or corporation by reason of anything forbidden, or declared to be unlawful by this act', a right to sue in a circuit court of the United States in the district in which the defendant resides or is found for threefold damages by him sustained. The statute being highly penal in its character, must be strictly construed and having created a new offense, and imposed new liabilities, and having provided the modes of redress to the public and private citizen, by established rules of construction, these remedies are exclusive of all others * * *."

Opinion.

In *United States v. Patterson* (201 F. 697, 714, rev'd on other grounds, 222 F. 599, cert. den. 238 U. S. 635) we find the following:

313

"Hence the right given by section 7 to an individual to recover for injury to his business or property with threefold damages and the right given by section 4 to the government to prevent by injunction a continuance of the acts complained of, are rights growing out of the commission of a crime, by whomsoever it may be, whose acts also subject him to the criminal penalties of the statute. If he has been guilty of a crime described in section 1 or 2, then he may be restrained by the government in a civil action, or be compelled by an individual who has been injured in his business or property to respond in threefold damages."

314

The language in the above cases would seem to indicate a denial of the civil rights under Section 7 being given to the federal government although this is not specifically stated. The courts have pointed out that violation of the Act was a statutory offense, of a penal nature, in which the right is given to an individual to recover for injury to his business or property with threefold damage; to the government to prevent by injunction a continuance of the acts, or to subject the offender to the criminal penalties of the statute. In accord that these remedies are exclusive and that this statute must be strictly construed: *D. R. Wilder Mfg. Co. v. Corn Products Refining Co.* (236 U. S. 165); *Fleitmann v. Welsbach Street Lighting Co.* (240 U. S. 27).

315

See also *General Inv. Co. v. Lake Shore Ry.* (260 U. S. 261, 286) wherein the court used this very pertinent language:

Opinion.

316

"As respects the Sherman Anti-Trust Act as it stood before it was supplemented by the Clayton Act, this Court has heretofore determined that the civil remedies specially provided in the act for actual and threatened violations of its provisions were intended to be exclusive and that those remedies consisted only of (a) suits for injunctions brought by the United States in the public interest under §4 and (b) private actions to recover damages brought under §7."

317

An analogous situation is found in the case of *Davis v. Pringle* (1 F. (2d) 860, 863, aff'd 268 U. S. 315) wherein the court held that the United States could not be classed as a person in order to claim priority under the Bankruptcy Act. There the court said:

318

"The failure to include the United States and the states in the definition could not have been inadvertent. The United States and the several states of the Union are not persons, and are not commonly thought of as persons, and if it had been intended that 'persons' should have such a comprehensive and unusual meaning as to include them, the framers of the definition would have said so."

Again, when the Congress had already dealt with claims of the United States under the name of the United States, and had deliberately limited its priority to taxes, it is hardly reasonable to attribute to the Congress an intention to deal again with the claims of the United States and include them in a provision relating to debts of 'any person'."

The United States Supreme Court stated in affirming the above-quoted case:

Opinion.

"The ordinary dignities of speech would have led to the mention of the United States at the beginning of the clause, if within its purview. Elsewhere in cases of possible doubt when the Act means the United States, it says the United States." (268 U. S. 315, 317, 318).

319

See also *United States v. Securities Corporation General, et al.* (4 F. (2d) 620, 622, aff'd 269 U. S. 283).

Thus it may be said that the courts are reluctant to include the United States in the definition of "any person", when used in a statute, unless Congress specifically includes the United States under that definition. This is even more obvious when the United States is given its remedies in other sections of the same statute.

320

The context of the Act is most significant. Sections 1, 2, 3, 4, and 6 explicitly gives a remedy to the United States. In Section 7, the word United States is not mentioned. This seems to be most significant, for had Congress intended to give the United States the remedy contemplated under Section 7, it would have so stated.

The plaintiff contends further that they should not be denied the right to sue under Section 7, because the United States is a corporation, existing under the laws of the United States, namely the Constitution, and hence is entitled to sue as a "person" under the definition in Section 8 of the Act. It is fundamental that the United States exists as a sovereign of delegated powers; delegated to it by the sovereigns making up the United States, the individual states. While there may be isolated cases which hold that the different states, and even the United States, are "bodies politic and corporate", they do not hold that the United States is a corporation existing by the laws of the United States. The courts have carefully distinguished between the body of delegated powers, the Constitution, which is the "supreme

321

Opinion.

322

law of the land", and the laws of the United States which are the Acts of Congress. (*Railroad Co. v. Mississippi*, 102 U. S. 135; *Beck v. Johnson*, 169 F. 154). Even in the Constitution itself, (Article III) this distinction is made:

"Section 2. The judicial power shall extend to all cases, in Law and Equity, arising under this Constitution, the laws of the United States, and Treaties made, or which shall be made, under their Authority ***".

And again in Article VI of the Constitution:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof ***".

323

The United States cannot, therefore, be classified as a corporation existing under the laws of the United States as stated in Section 8 of the Sherman Act.

From the discussion of the framers of this Act, when it was introduced as a bill in the United States Senate, and prior to its enactment, (Congressional Record #21, pg. 2563-4, 2567, 2641), it seems quite clear that the United States itself was never intended as a party with the right to sue for treble damages under Section 7.

The motion of the defendants should be granted, and the complaint dismissed. Settle order on notice.

324

Dated: February 16, 1940.

EDWARD A. CONGER,
U. S. D. J.

Order and Judgment Dismissing Complaint.

UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK
 CIV 2-396

325

[SAME TITLE]

A motion having been made by the defendants herein for an order dismissing this action because the complaint fails to state a claim against defendants upon which relief can be granted, and

Said motion having duly come on to be heard on the 28th day of April, 1939, and after hearing argument of counsel for plaintiff and defendants, and due deliberation having been had thereon and upon filing the opinion of this Court dated February 16, 1940, it is, on motion of the defendants herein,

326

ORDERED that the said motion be and the same is hereby granted and that this action and the complaint herein be and the same are hereby dismissed without costs.

APPROVED March 14th, 1940.

EDWARD A. CONGER, 327
U. S. D. J.

March 15th, 1940

JUDGMENT RENDERED
 GEORGE J. H. FOLLMER
 George J. H. Follmer, Clerk

Notice of Appeal.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

328

CIV 2-396

[SAME TITLE]

Notice is hereby given that the United States of America, plaintiff above named, hereby appeals to the Circuit Court of Appeals for the Second Circuit from the order and judgment dismissing the complaint entered in this action on March 15, 1940.

329

Dated: New York, N. Y., March 21, 1940.

MYLES J. LANE,
Special Assistant to the
Attorney General,
Attorney for Plaintiff.

330 -

Stipulation as to Record.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

331

[SAME TITLE]

IT IS HEREBY STIPULATED AND AGREED that the foregoing is a true transcript of the record of the said District Court in the above entitled matter as agreed to by the parties.

Dated: New York, N. Y., April , 1940.

MYLES J. LANE,
 Special Assistant to the Attorney General,
 Attorney for Plaintiff-Appellant.

332

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333

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Stipulation as to Record.

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Stipulation as to Record.

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337

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338

339

Clerk's Certificate.**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

340

[SAME TITLE]

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF NEW YORK, ss.:

341

I, GEORGE J. H. FOLLMER, Clerk of the District Court of the United States of America for the Southern District of New York, do hereby certify that the following is a correct transcript of the record of the said District Court in the above entitled matter as agreed on by the parties.

IN TESTIMONY WHEREOF, I have caused the seal of the said Court to be hereunto affixed at the City of New York in the Southern District of New York, this day of April, in the year of our Lord one thousand nine hundred and forty and in the Independence of the United States of America the one hundred and sixty-fourth.

GEORGE J. H. FOLLMER,
Clerk.

342

UNITED STATES CIRCUIT COURT OF APPEALS FOR THE
SECOND CIRCUIT

No. 363—October Term, 1939

UNITED STATES OF AMERICA, APPELLANT

against

THE COOPER CORPORATION, ET AL., APPELLEES

Argued May 21, 1940—Decided August 8, 1940

Appeal from an order of the District Court for the Southern District of New York dismissing the complaint in a suit for treble damages brought by the United States under Sec. 7 of the Sherman Act. Affirmed.

Before SWAN, CHASE, and CLARK, Circuit Judges.

CHASE, Circuit Judge: The United States brought this civil action under Sec. 7 of the Sherman Act (15 U. S. C. A. Sec. 15) against eighteen defendants to recover treble damages because of injuries resulting from an alleged unlawful agreement as to uniform prices charged the government for automobile tires it purchased. The defendants moved to dismiss on the ground that the government is not a person within the meaning of the word in Sec. 7 as defined in Sec. 8 of the Sherman Act. The motion was granted and this appeal was taken from the order dismissing the complaint.

Sec. 7 is as follows:

"Sec. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any district court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee."

Such a civil action as this was not formerly attempted by the government which was content to confine its activities to the other aspects of the statute. Yet there is no express provision denying it the right to sue for civil injuries it has sustained because of violations of the Statute and the order below must be held right or wrong in accordance with a correct determination of whether or not the word "person" in Sec. 7 embraces the government.

Considerable light is thrown on that subject by the definition of "person" found in Sec. 8 (15 U. S. C. A. Sec. 7). It provides that: "The word 'person' or 'persons,' wherever used in section 1, 2, 3, or 15 of this chapter, shall be deemed to include corporations and

associations existing under or authorized by the laws of either the United States, the laws of any Territory, the laws of any State, or the laws of any foreign country."

Ordinarily the word person in a statute does not include the government. *United States v. Fox*, 94 U. S. 315. Nor does Sec. 8 bring the government within the statutory meaning of the word unless the United States is a corporation existing under the laws therein mentioned. Obviously, the only such laws under which it could possibly so exist are the laws of the United States. None of what are commonly known as laws of the United States, however, brought the government into being or authorized its existence. On the contrary, they exist because of it.

It exists as a government of delegated powers by virtue of the constitution and while that is sometimes classed as among the laws of the United States in that it may be said to be the supreme law of the land it is not of a kind with specific laws passed in accordance with its provisions which relate to the creation, existence, and control of corporate bodies. In the constitution itself a distinction is made between the judicial power arising under it and under the laws of the United States. Art. III; Sec. 2. See also Art. VI. The distinction has had judicial recognition. *Railroad Co. v. Mississippi*, 102 U. S. 135. The corporations and associations which are included in the word "person" by Sec. 8 of the Sherman Act as existing under or authorized by the laws of the United States must be those which could not exist except by virtue of laws other than the constitution. The federal government cannot be among those for there were no such laws until after the United States was in existence.

Nor is there any reason appearing from the language of the Sherman Act to give support to the thought that Congress intended to give the government the right to sue under Sec. 7. There is ample reason here, as there was in *Davis v. Pringle*, 268 U. S. 316, where the meaning of the word "person" as used in Sec. 64 (a) (5) of the Bankruptcy Act was under consideration, for saying that if Congress had intended to include the government in Sec. 7 the "ordinary dignities of speech would have led to the mention of the United States." Moreover, the Act has heretofore been construed uniformly to give the government power to prosecute criminally and to secure injunctions and to give private parties by Sec. 7 the right to recover civil damages for injuries. *Piddock v. Harrington*, 64 Fed. 821; *Greer Mills & Co., v. Stoller*, 77 Fed. 1; *United States v. Patterson*, 201 Fed. 697; *General Investment Co. v. Lake Shore & Michigan So. Ry. Co.*, 260 U. S. 261. Furthermore, if the federal government is included in the word "person" as one who may sue civilly for damages it must be included in the phrase "any other person or corporation" in the same section as one who may be sued; for there is absolutely nothing to indicate that Congress intended to use the same word twice in the same section without having its meaning the

same in each instance. The argument in support of the government's position is not only novel but proves too much when it leads to the imposition of such a liability by indirection.

Affirmed.

CLARK, Circuit Judge (dissenting): The occasional decisions in which the word "person" has been said to exclude the sovereign have never attained the dignity of a firm rule of law. In many cases the State or United States has been held included within legislative contemplation when "person" appeared in a statute, often under circumstances harmful, rather than helpful, to the sovereign. See *Stanley v. Schwalby*, 147 U. S. 508, 517; 13 S. Ct. 418, 37 L. Ed. 259; *Ohio v. Helvering*, 292 U. S. 360, 54 S. Ct. 725, 78 L. Ed. 1307 [cf. *Helvering v. Stockholms Enskilda Bank*, 293 U. S. 84, 86, 55 S. Ct. 50, 79 L. Ed. 211]; *Nardone v. United States*, 302 U. S. 379, 383, 58 S. Ct. 275, 82 L. Ed. 314; *Republic of Honduras v. Soto*, 112 N. Y. 310, 2 L. R. A. 642, 8 Am. St. Rep. 744; *State of Ohio ex re Fulton v. Saal*, 239 App. Div. 420, 267 N. Y. S. 558, 240 App. Div. 902, 267 N. Y. S. 560, 561, appeal dismissed on other grounds, 264 N. Y. 465, 191 N. E. 516; *Sherwood v. United States*, 2 Cir., 112 F. 2d 587. The last two decisions, imposing burdens on the sovereign, were reached in the face of Sec. 37 of the N. Y. General Construction Law, which defined "person" in such a way as normally to exclude the government.

Accordingly, the only principle of any validity that may be wrung from the cases is that the meaning of "person" depends upon the legislature's intent under the circumstances. *Ohio v. Helvering*, *supra*; *Matter of Bronson*, 150 N. Y. 1, 5, 44 N. E. 707, 34 L. R. A. 238, 55 Am. St. Rep. 632. The exhaustive study of contemporary congressional debates relied on by the court below, D. C. S. D. N. Y., 31 F. Supp. 848, 851, and offered to us here appears inconclusive; neither Senator Sherman, who presented a first draft, nor Senator Hoar, who drafted the final act, appear to have given public consideration to the matter here involved. 35 Ill. L. Rev. 223. In cases of this sort, where speculation over actual intent is futile, we have attempted to estimate whether the injuries done to the sovereign by including it within the purview of the statute are so great that the legislature can be presumed not to have intended them. *Sherwood v. United States*, *supra*. Where the legislation is clearly remedial and not injurious to the sovereign, there seems no persuasive precedent for reading it restrictively.

It is virtually impossible to suggest a plausible reason why Congress, if it had thought of the matter, would have denied the triple-damage remedy to the United States and to the states, while granting it to every other natural or legal person in existence. The United States operates the largest business enterprise in the nation, and in its capacity as a purchaser of tires, it can be injured as much in its "business or property" as can any other entity. It should make no difference whether Section 7 is punitive or remedial in character. Before holding that a clear wrong should go unpunished merely

because it was committed against the United States, we should require strong evidence that the legislature intended so anomalous a result.

The definition of "person" in Section 8 does not settle the matter; that merely states what "person" shall be deemed to include, not what the word excludes. Thus it does not expressly include natural persons, but no one contends they are exempted from the operation of the Sherman Act. Again, Section 7 gives the remedy to any person against any other person or corporation. The fact that "corporation" is mentioned in one place and not in the other thus has no significance. The purpose, it seems, was not to restrict the remedy, but to make sure that the Act applied to corporations. Cf. 35 Ill. L. Rev. 223.

Davis v. Pringle, 268 U. S. 315, 45 S. Ct. 549, 69 L. Ed. 974, does not stand directly opposed to this conclusion. What the government sought in the Davis case was a special privilege unavailable to any other legal entity—the privilege of an absolute preference in the distribution of the assets of an insolvent estate. What the government seeks here is a right equal to and no greater than that conferred on every other person in the land. Moreover, there was convincing internal evidence of legislative intent in the Davis case. It may be noted that just one year after the Davis decision, the statute in question was amended so as explicitly to incorporate the definition there rejected. 44 Stat. 666, 11 U. S. C. A. § 104 (b) (7); see *In re C. D. Hauger Co.*, D. C. N. D. Tex., 54 F. 2d 117, 118.

I do not believe our answer to the question here forecloses discussion of that other question whether the United States is itself subject to suit under Section 7 for possible violations of the Sherman Act. There is no necessary rule of mutuality; Congress could confer the right to sue upon the United States and deny any sovereign liability. For my part I am willing to listen to argument upon the latter question if and when it becomes an actual issue. Now I content myself with saying that I am satisfied that the United States may sue under Section 7, and therefore I would reverse the decision below.

United States Circuit Court of Appeals, Second Circuit

At a Stated Term of the United States Circuit Court of Appeals, in and for the Second Circuit, held at the United States Courthouse in the City of New York, on the 31st day of August, one thousand nine hundred and forty.

Present: Hon. THOMAS W. SWAN, Hon. HARRIE B. CHASE, Hon. CHARLES E. CLARK, Circuit Judges.

UNITED STATES OF AMERICA, PLAINTIFF-APPELLANT

v.

THE COOPER CORPORATION ET AL., DEFENDANTS-APPELLEES

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of record from the District Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, it is now hereby ordered, adjudged, and decreed that the order of said District Court be and it hereby is affirmed.

It is further ordered that a Mandate issue to the said District Court in accordance with this decree.

D. E. ROBERTS, *Clerk.*

By A. M. BELL, *Deputy Clerk.*

Order for mandate.

United States Circuit Court of Appeals, Second Circuit. Filed Aug. 31, 1940. D. E. Roberts, Clerk.

United States of America, Southern District of New York

I, D. E. Roberts, Clerk of the United States Circuit Court of Appeals for the Second Circuit, do hereby certify that the foregoing pages, numbered from 1 to 124, inclusive, contain a true and complete transcript of the record and proceedings had in said Court, in the case of United States of America, Plaintiff-Appellant, against The Cooper Corporation, et al., Defendants-Appellees, as the same remain of record and on file in my office.

In testimony whereof, I have caused the seal of the said Court to be hereunto affixed, at the City of New York, in the Southern District of New York, in the Second Circuit, this thirty-first day of August, in the year of our Lord one thousand nine hundred and forty, and of the Independence of the said United States the one hundred and sixty-fifth.

[SEAL]

D. E. ROBERTS, *Clerk.*

By A. M. BELL, *Deputy Clerk.*

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Supreme Court of the United States

Order allowing certiorari

Filed November 12, 1940

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript ~~of~~ the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.